



Federal Register

**Monday,
October 31, 2005**

Part IX

Department of Homeland Security

Semiannual Regulatory Agenda

DEPARTMENT OF HOMELAND SECURITY (DHS)

DEPARTMENT OF HOMELAND SECURITY

Office of the Secretary

6 CFR Chs. I and II

[DHS Docket No. OGC-RP-04-001]

Unified Agenda of Federal Regulatory and Deregulatory Actions

AGENCY: Office of the Secretary, DHS.
ACTION: Semiannual regulatory agenda.

SUMMARY: This regulatory agenda is a semiannual summary of all current and projected rulemakings, reviews of existing regulations, and completed actions of the Department of Homeland Security (DHS) and its component agencies and divisions. This agenda provides the public with information about DHS' regulatory activity. It is expected that this information will enable the public to be more aware of and effectively participate in the Department's regulatory activity. The public also is invited to submit comments on any aspect of this agenda.

FOR FURTHER INFORMATION CONTACT:

General

Please direct all comments and inquiries on the agenda in general to the Regulations Division, Office of the General Counsel, Department of Homeland Security, Washington, DC 20528.

Specific

Please direct specific comments and inquiries on individual regulatory actions identified in this agenda to the individual listed in the summary of the regulation as the point of contact for that regulatory action.

SUPPLEMENTARY INFORMATION: This notice is given pursuant to the requirements of the Regulatory Flexibility Act (Pub. L. 96-354, September 19, 1980) and Executive Order (E.O.) 12866, "Regulatory Planning and Review" (September 30, 1993), which require the publication of a semiannual agenda of regulations by the Department. The regulatory agenda is a semiannual summary of all current and projected rulemakings, as well as actions completed since the publication of the last regulatory agenda for the Department. This is DHS' sixth semiannual regulatory agenda since the Department's inception in January 2003. DHS' last semiannual regulatory agenda was published on May 16, 2005, at 70 FR 26892.

DHS currently is comprised of five directorates: Border and Transportation Security; Emergency Preparedness and Response; Science and Technology; Information Analysis and Infrastructure Protection; and Management.¹ Several other critical agencies were transferred to the Department or were created under the Homeland Security Act of 2002, including the U.S. Coast Guard (Coast Guard), the U.S. Secret Service, the Transportation Security Administration (TSA), and the Federal Emergency Management Administration (FEMA). In addition, the former Immigration and Naturalization Service (INS) of the Department of Justice and the former U.S. Customs Service of the Department of the Treasury were transferred to DHS and reorganized to become the U.S. Citizenship and Immigration Services (USCIS), the Bureau of Immigration and Customs Enforcement (ICE), and the Bureau of Customs and Border Protection (CBP). Many of the agencies

transferred to DHS had existing and active regulatory agendas. Those legacy regulatory agendas have been transferred to DHS and now are identified in the DHS regulatory agenda. Accordingly, some of the regulatory actions identified in this agenda may reference actions initiated by a predecessor Department or agency.

DHS joined the Environmental Protection Agency Federal Partner On-line Electronic Docket System (EDOCKET) in September 2004. In September 2005, EDOCKET will be replaced by the Federal Docket Management System (FDMS) located at . All Coast Guard and TSA electronic dockets continue to be accessed at dms.dot.gov. Since Coast Guard and TSA were originally on the Department of Transportation's (DOT) electronic Docketing Management System, those agencies will remain on that system until DHS fully migrates to FDMS during fiscal year 2006.

The semiannual agenda of the Department conforms to the Unified Agenda format developed by the Regulatory Information Service Center.

Dated: September 23, 2005.

Mary Kate Whalen,
Deputy Associate General Counsel for Regulations.

¹ On July 13, 2005, the Secretary of Homeland Security announced a proposed reorganization of the Department. Pursuant to the reorganization, the directorates listed above may be subject to change during fiscal year 2006, and any changes will be updated in the Spring Unified Agenda for 2006.

Office of the Secretary—Proposed Rule Stage

| Sequence Number | Title | Regulation Identifier Number |
|-----------------|---|------------------------------|
| 1234 | Supplemental Standards of Conduct for Employees of the Department of Homeland Security | 1601-AA17 |
| 1235 | Uniform Administrative Requirements for Grants and Cooperative Agreements; Administration of Grants and Agreements With Institutions of Higher Ed., Hospitals, and Other Nonprofit Orgs. | 1601-AA18 |
| 1236 | Identifying, Safeguarding, and Sharing Sensitive Homeland Security Information | 1601-AA25 |
| 1237 | Homeland Security Acquisition Regulation (HSAR): Conformance to the Federal Acquisition Circulars (FACs) | 1601-AA28 |
| 1238 | Assistance to Firefighters Grant Program | 1601-AA30 |

DHS

U.S. Citizenship and Immigration Services—Completed Actions (Continued)

| Sequence Number | Title | Regulation Identifier Number |
|-----------------|---|------------------------------|
| 1352 | Eligibility Pilot Program (Precertification of Certain I-129 and I-140 Petitioners) | 1615-AB25 |

U.S. Coast Guard—Proposed Rule Stage

| Sequence Number | Title | Regulation Identifier Number |
|-----------------|--|------------------------------|
| 1353 | Claims Procedures Under the Oil Pollution Act of 1990 (USCG-2004-17697) | 1625-AA03 |
| 1354 | Implementation of the 1995 Amendments to the International Convention on Standards of Training, Certification, and Watchkeeping (STCW) for Seafarers, 1978 (CGD 95-062) | 1625-AA16 |
| 1355 | Wearing of Personal Flotation Devices by Persons Operating or Riding on Personal Watercraft or Being Towed Behind Recreational Vessels (USCG-2002-11421) | 1625-AA40 |
| 1356 | Traffic Separation Schemes: In the Strait of Juan De Fuca and Its Approaches; In Puget Sound and Its Approaches; In Haro Strait, Boundary Pass, and in the Strait of Georgia (USCG-2002-12702) | 1625-AA48 |
| 1357 | Rules of Practice, Procedure, and Evidence for Administrative Proceedings of the Coast Guard (USCG 1998-3472) | 1625-AA59 |
| 1358 | Administrative Changes To Numbering of Vessels and Reporting of Casualties (USCG-2003-14963) | 1625-AA70 |
| 1359 | Commercial Fishing Industry Vessels (USCG-2003-16158) | 1625-AA77 |
| 1360 | Dry Cargo Residue Discharges in the Great Lakes (USCG-2004-19621) | 1625-AA89 |
| 1361 | Pollution Prevention Equipment (USCG-2004-18939) | 1625-AA90 |
| 1362 | Alternate Compliance Program: Vessel Inspection Alternatives | 1625-AA92 |
| 1363 | Vessel Documentation: Lease Financing for Vessels Engaged in the Coastwise Trade | 1625-AA95 |
| 1364 | Waiver for Marking Sunken Vessels With Light at Night (USCG-2005-20488) | 1625-AA97 |
| 1365 | Oil Spill Liability Trust Fund Consumer Price Index (CPI) Adjustment of Vessel Limits of Liability | 1625-AA98 |

U.S. Coast Guard—Final Rule Stage

| Sequence Number | Title | Regulation Identifier Number |
|-----------------|--|------------------------------|
| 1366 | Reporting Marine Casualties (USCG-2000-6927) | 1625-AA04 |
| 1367 | Limited Service Domestic Voyage Load Lines for River Barges on Lake Michigan (USCG-1998-4623) | 1625-AA17 |
| 1368 | Deepwater Ports (USCG-1998-3884) | 1625-AA20 |
| 1369 | Vessel and Facility Response Plans for Oil: 2003 Removal Equipment Requirements and Alternative Technology Revisions (USCG-2001-8661) | 1625-AA26 |
| 1370 | Marine Casualties and Investigations; Chemical Testing Following Serious Marine Incidents (USCG-2001-8773) (Reg Plan Seq No. 59) | 1625-AA27 |
| 1371 | Drawbridge Operations Regulations; Revisions (USCG-2001-10881) | 1625-AA36 |
| 1372 | Protection for Whistleblowers in the Coast Guard (USCG-2002-13016) | 1625-AA50 |
| 1373 | Review and Update of Standards for Marine Equipment (USCG-2003-16630) | 1625-AA83 |
| 1374 | Validation of Merchant Mariners' Vital Information and Issuance of Coast Guard Merchant Mariner's Licenses and Certificates of Registry (USCG-2004-17455) (Reg Plan Seq No. 60) | 1625-AA85 |
| 1375 | Notification of Arrival in U.S. Ports; Certain Dangerous Cargoes; Electronic Submission (USCG-2004-19963) | 1625-AA93 |
| 1376 | Vessel Requirements for Notices of Arrival and Departure, and Carriage of Automatic Identification System (USCG-2005-21869) (Reg Plan Seq No. 61) | 1625-AA99 |

References in boldface appear in the Regulatory Plan in part II of this issue of the **Federal Register**.

U.S. Coast Guard—Long-Term Actions

| Sequence Number | Title | Regulation Identifier Number |
|-----------------|--|------------------------------|
| 1377 | Safety Zone Regulations | 1625-AA00 |
| 1378 | Special Anchorage Areas/Anchorage Grounds Regulations | 1625-AA01 |
| 1379 | Discharge-Removal Equipment for Vessels Carrying Oil (CGD 90-068) | 1625-AA02 |
| 1380 | State Access to the Oil Spill Liability Trust Fund (USCG-2004-19123) | 1625-AA06 |

DHS

U.S. Coast Guard—Long-Term Actions (Continued)

| Sequence Number | Title | Regulation Identifier Number |
|-----------------|--|------------------------------|
| 1381 | Regatta and Marine Parade Regulations | 1625-AA08 |
| 1382 | Drawbridge Regulations | 1625-AA09 |
| 1383 | Escort Vessels in Certain U.S. Waters (CGD 91-202a) | 1625-AA10 |
| 1384 | Regulated Navigation Areas | 1625-AA11 |
| 1385 | Marine Transportation-Related Facility Response Plans for Hazardous Substances (USCG-1999-5705) | 1625-AA12 |
| 1386 | Tank Vessel Response Plans for Hazardous Substances (USCG-1998-4354) | 1625-AA13 |
| 1387 | Numbering of Undocumented Barges (USCG-1998-3798) | 1625-AA14 |
| 1388 | Outer Continental Shelf Activities (USCG-1998-3868) | 1625-AA18 |
| 1389 | Salvage and Marine Firefighting Requirements; Vessel Response Plans for Oil (USCG-1998-3417) | 1625-AA19 |
| 1390 | Commercial Diving Operations (USCG-1998-3786) | 1625-AA21 |
| 1391 | Improvements to Maritime Safety in Puget Sound-Area Waters (USCG-1998-4501) | 1625-AA22 |
| 1392 | Cargo Securing on Vessels Operating in U.S. Waters (USCG-2000-7080) | 1625-AA25 |
| 1393 | Federal Requirements for Propeller Injury Avoidance Measures (USCG 2001-10163) | 1625-AA31 |
| 1394 | Standards for Living Organisms in Ships' Ballast Water Discharged in U.S. Waters (USCG-2001-10486) | 1625-AA32 |
| 1395 | Rates for Pilotage on the Great Lakes (USCG-2002-11288) | 1625-AA38 |
| 1396 | Notifications of Arrival and Departure in Ports or Places in the United States (USCG-2001-11865) | 1625-AA41 |
| 1397 | Vessel Traffic Service Lower Mississippi River (USCG-1998-4399) | 1625-AA58 |
| 1398 | Validation of Merchant Mariners' Vital Information and Issuance of Coast Guard Merchant Mariner's Documents (MMDs) (USCG-2003-14500) | 1625-AA81 |
| 1399 | Security Zone Regulations | 1625-AA87 |
| 1400 | Navigation Equipment; SOLAS Chapter V Amendments (USCG-2004-19588) | 1625-AA91 |
| 1401 | Notification of Arrival in U.S. Ports; Certain Dangerous Cargoes; Electronic Submission (USCG-2003-16688) | 1625-AA96 |
| 1402 | Long Range Identification and Tracking of Vessels | 1625-AB00 |

U.S. Coast Guard—Completed Actions

| Sequence Number | Title | Regulation Identifier Number |
|-----------------|--|------------------------------|
| 1403 | Escort Vessels for Certain Tankers (CGD 91-202) | 1625-AA05 |
| 1404 | Anchorage Ground; Safety Zone; Speed Limit; Tongass Narrows and Ketchikan, Alaska (CGD17-99-002) | 1625-AA23 |
| 1405 | Electronic Chart Display and Information System (ECDIS) (USCG-2001-8826) | 1625-AA29 |
| 1406 | Marine Events: Permit Procedures (USCG-2001-10713) | 1625-AA35 |
| 1407 | Escort Vessels for Certain Tankers—Crash Stop Criteria (USCG-2003-14734) | 1625-AA65 |
| 1408 | Tank Level or Pressure Monitoring Devices on Single-Hull Tank Ships and Single-Hull Tank Barges Carrying Oil or Oil Residue As Cargo | 1625-AA94 |

Directorate of Border and Transportation Security—Proposed Rule Stage

| Sequence Number | Title | Regulation Identifier Number |
|-----------------|---|------------------------------|
| 1409 | United States Visitor and Immigrant Status Indicator Technology Program (US-VISIT); Authority To Collect Biometric Data From Additional Travelers | 1650-AA00 |

Directorate of Border and Transportation Security—Final Rule Stage

| Sequence Number | Title | Regulation Identifier Number |
|-----------------|--|------------------------------|
| 1410 | US VISIT: Enrollment of Additional Categories of Aliens in US-VISIT After Notice | 1650-AA06 |

DHS—USCIS

Completed Actions

1351. CRIMINAL GROUNDS OF INADMISSIBILITY, EXCEPTIONS AND WAIVERS FOR IMMIGRANTS AND NONIMMIGRANTS, REFUGEES AND ASYLEES

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Legal Authority: PL 104–208, Illegal Immigration Reform and Immigrant Responsibility Act; PL 101–649, Miscellaneous and Technical Immigration and Naturalization Amendments of 1991; PL 104–232, Anti–Terrorism and Effective Death Penalty Act of 1996; PL 104–132, International Religious Freedom Act of 1998; ...

CFR Citation: 8 CFR 103; 8 CFR 210; 8 CFR 212; 8 CFR 299

Legal Deadline: None

Abstract: DHS is in the process of reorganizing Section 212 of title 8 of the Federal regulations. This regulation will create subsection C of 8 CFR 212, which covers criminal grounds of inadmissibility listed in section 212(a)(2) of the Immigration and Nationality Act (INA). The Illegal Immigration Reform and Immigrant Responsibility Act (Pub. L. 104–208) revised section 212(a)(2) of the INA, and subsequent laws revised it further. This regulation will implement those sections of law. Previously, this regulation was part of a larger 212 regulation (CIS No. 1413–97, RIN 1115–AB45), but due to the desire for clarity and the need to have different DHS components concentrate on different

areas of inadmissibility, these criminal sections have been broken out into a separate regulation.

Timetable:

| Action | Date | FR Cite |
|-----------|----------|---------|
| Withdrawn | 09/20/05 | |

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: CIS No. 2276–03

Agency Contact: Pearl Chang, Chief, Residence and Status Branch, Department of Homeland Security, U.S. Citizenship and Immigration Services, Room 3214, Office of Program and Regulations Development, (ULLICO) 3rd Floor, 111 Massachusetts Avenue NW., Washington, DC 20529
Phone: 202 514–4754
Email: pearl.chang@dhs.gov

RIN: 1615–AB15

1352. ELIGIBILITY PILOT PROGRAM (PRECERTIFICATION OF CERTAIN I–129 AND I–140 PETITIONERS)

Priority: Other Significant

Legal Authority: 8 USC 1101; 8 USC 1103; 8 USC 1151; 8 USC 1153; 8 USC 1154; ...

CFR Citation: 8 CFR 204; 8 CFR 214; 8 CFR 299

Legal Deadline: None

Abstract: This rule amends DHS regulations by establishing a new

Employer Precertification Pilot Program (Pilot Program or EPPP), and provides the eligibility requirements and procedures for participating in this Pilot Program. This Pilot Program is being established to enable the U.S. Citizenship and Immigration Services (USCIS) to streamline the adjudication process for those approved qualifying employers who submit Form I–129, Petition for a Nonimmigrant Worker and Form I–140, Immigrant Petition for Alien Workers, to USCIS. The Pilot Program is intended to reduce backlogs and increase efficiencies in adjudicating of certain employment-related nonimmigrant and immigrant visa petitions.

Timetable:

| Action | Date | FR Cite |
|-----------|----------|---------|
| Withdrawn | 09/20/05 | |

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Efrén Hernandez, Chief, Business and Trade Branch, Department of Homeland Security, U.S. Citizenship and Immigration Services, Office of Program and Regulations Development, (ULLICO) 3rd Floor, 111 Massachusetts Avenue NW., Washington, DC 20529
Phone: 202 353–8177
Email: efran.hernandez@dhs.gov

RIN: 1615–AB25

**Department of Homeland Security (DHS)
U.S. Coast Guard (USCG)**

Proposed Rule Stage

1353. CLAIMS PROCEDURES UNDER THE OIL POLLUTION ACT OF 1990 (USCG–2004–17697)

Priority: Substantive, Nonsignificant

Legal Authority: 33 USC 2713; 33 USC 2714

CFR Citation: 33 CFR 136

Legal Deadline: None

Abstract: This rulemaking implements section 1013 (Claims Procedures) and section 1014 (Designation of Source and Advertisement) of the Oil Pollution Act of 1990. An interim rule was published in 1992 and provides the basic requirements for the filing of claims for uncompensated removal

costs or damages resulting from the discharge of oil, for the designation of the sources of the discharge, and for the advertisement of where claims are to be filed. The interim rule also includes the processing of natural resource damage (NRD) claims. The NRD claims, however, were not processed until September 25, 1997, when the Department of Justice issued an opinion that the Oil Spill Liability Trust Fund (OSLTF) is available without further appropriation to pay trustee NRD claims under the general claims provisions of the Oil Pollution Act (OPA) of 1990, 33 U.S.C. 2712(a)(4). Release of this more

comprehensive notice of proposed rulemaking has been delayed while the Coast Guard gained experience on NRD claims, as well as other OPA damages. This rulemaking supports the Coast Guard's strategic goal of protection of natural resources.

Timetable:

| Action | Date | FR Cite |
|---------------------------------|----------|-------------|
| Interim Rule | 08/12/92 | 57 FR 36314 |
| Correction | 09/09/92 | 57 FR 41104 |
| Interim Rule Comment Period End | 12/10/92 | |
| NPRM | 04/00/06 | |

Regulatory Flexibility Analysis Required: Yes

DHS—USCG

Proposed Rule Stage

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: Federal, Local, State, Tribal

Additional Information: Transferred from RIN 2115-AD90

Agency Contact: Carolyn R. Boltin, Project Manager, National Pollution Fund Center, Department of Homeland Security, U.S. Coast Guard, 4200 Wilson Boulevard, Arlington, VA 22203
Phone: 202 493-6864

RIN: 1625-AA03

1354. IMPLEMENTATION OF THE 1995 AMENDMENTS TO THE INTERNATIONAL CONVENTION ON STANDARDS OF TRAINING, CERTIFICATION, AND WATCHKEEPING (STCW) FOR SEAFARERS, 1978 (CGD 95-062)

Priority: Other Significant

Legal Authority: 44 USC 3507; 46 USC 2103; 46 USC 7101; 46 USC 7107

CFR Citation: 46 CFR 10; 46 CFR 12; 46 CFR 15

Legal Deadline: None

Abstract: The International Maritime Organization (IMO) comprehensively amended the International Convention on Standards of Training, Certification, and Watchkeeping (STCW) for Seafarers, 1978, in 1995. The amendments came into force on February 1, 1997. This project implements them by revising current rules to ensure that the United States complies with their requirements on: The training of merchant mariners, the documenting of their qualifications, and watch-standing and other arrangements aboard seagoing merchant ships of the United States. This project supports the Coast Guard's strategic goal of maritime safety. It also supports the goal of our directorate for Marine Safety and Environmental Protection for reducing deaths and injuries of crewmembers on domestic merchant vessels and eliminating substandard vessels from the navigable waters of the United States. It is significant because of the potential impact on industry and the potential effect on international interests.

Timetable:

| Action | Date | FR Cite |
|-------------------|----------|-------------|
| Notice of Meeting | 08/02/95 | 60 FR 39306 |

| Action | Date | FR Cite |
|---------------------------|----------|-------------|
| Comment Period End | 09/29/95 | |
| Notice of Inquiry | 11/13/95 | 60 FR 56970 |
| Comment Period End | 01/12/96 | |
| NPRM | 03/26/96 | 61 FR 13284 |
| Notice of Public Meetings | 04/08/96 | 61 FR 15438 |
| Comment Period End | 07/24/96 | |
| Notice of Intent | 02/04/97 | 62 FR 5197 |
| Interim Rule | 06/26/97 | 62 FR 34505 |
| Interim Rule Effective | 07/28/97 | |
| Supplemental NPRM | 06/00/06 | |

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: Old Docket Number CGD 95-062.

Transferred from RIN 2115-AF26

Agency Contact: Mark Gould, Project Manager, G-MSO-1, Department of Homeland Security, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001
Phone: 202 267-6890

RIN: 1625-AA16

1355. WEARING OF PERSONAL FLOTATION DEVICES BY PERSONS OPERATING OR RIDING ON PERSONAL WATERCRAFT OR BEING TOWED BEHIND RECREATIONAL VESSELS (USCG-2002-11421)

Priority: Other Significant

Legal Authority: 46 USC 4302

CFR Citation: 33 CFR 175

Legal Deadline: None

Abstract: This rule would require every person to wear a personal flotation device (PFD)—also called a lifejacket—while operating or riding on personal watercraft (PWC) or being towed behind a recreational vessel. On waters subject to the jurisdiction of the United States within any State or territory, the rule would not preempt any requirement established for such persons as specified by the State. The rule would set a Federal requirement on waters subject to the jurisdiction of the United States within any State or territory without such requirements. The new requirement would reduce the number of persons who drown while participating in these activities. This project supports the Coast Guard's strategic goal of maritime safety.

Timetable:

| Action | Date | FR Cite |
|--------|----------|---------|
| NPRM | 02/00/06 | |

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: Transferred from RIN 2115-AG32

URL For More Information: dms.dot.gov

URL For Public Comments: dms.dot.gov

Agency Contact: Carlton Perry, Project Manager, G-OPB-1, Department of Homeland Security, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001
Phone: 202 267-0979

RIN: 1625-AA40

1356. TRAFFIC SEPARATION SCHEMES: IN THE STRAIT OF JUAN DE FUCA AND ITS APPROACHES; IN PUGET SOUND AND ITS APPROACHES; IN HARO STRAIT, BOUNDARY PASS, AND IN THE STRAIT OF GEORGIA (USCG-2002-12702)

Priority: Substantive, Nonsignificant

Legal Authority: 33 USC 1223

CFR Citation: 33 CFR 167

Legal Deadline: None

Abstract: This rulemaking will propose amendments to the existing traffic separation schemes (TSS): in the Strait of Juan de Fuca and its approaches; in Puget Sound and its approaches; in Haro Strait, Boundary Pass, and in the Strait of Georgia. These amendments are approved by the International Maritime Organization and have been validated by several recent vessel routing studies. With the amendments in place, commercial vessels would be routed farther offshore when entering or departing the TSS, providing an extra margin of safety and environmental protection in the Olympic Coast National Marine Sanctuary and adjacent waters. This rulemaking will incorporate the modified TSS into the Code of Federal Regulations. This project supports the Coast Guard's strategic goals of safety and protecting the marine environment.

DHS—USCG

Proposed Rule Stage

Timetable:

| Action | Date | FR Cite |
|-------------------------|----------|-------------|
| NPRM | 08/27/02 | 67 FR 54981 |
| NPRM Comment Period End | 10/28/02 | |
| Supplemental NPRM | 02/00/06 | |

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Businesses**Government Levels Affected:** Tribal

Additional Information: Based on comments received in response to the notice of proposed rulemaking (NPRM), the agency has decided to develop and publish a supplemental NPRM.

Transferred from RIN 2115-AG45

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: George Detweiler, Project Manager G—MWV, Department of Homeland Security, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593–0001
Phone: 202 267–0574

RIN: 1625–AA48**1357. RULES OF PRACTICE, PROCEDURE, AND EVIDENCE FOR ADMINISTRATIVE PROCEEDINGS OF THE COAST GUARD (USCG 1998–3472)****Priority:** Substantive, Nonsignificant**Legal Authority:** 46 USC 7701; 46 USC 7702; 33 USC 1321; 42 USC 9609**CFR Citation:** 33 CFR 20; 46 CFR 5**Legal Deadline:** None

Abstract: The Coast Guard maintains two separate sets of procedural rules: The administrative adjudication rules against merchant mariners' licenses, certificates of registry, and documents; and those for the adjudication of class II civil penalties. The rules for suspension and revocation, contained in part 5 of title 46 of the Code of Federal Regulations (CFR), date from 1948, and are based on criminal procedure. The rules for class II civil penalties, contained in part 20 of title 33 of the CFR, date from 1994, and are based on the Model Rules of Administrative Procedure and on other modern rules for civil procedure. Neither set implements the authority of the Oil Pollution Act of 1990 (OPA 90), which provides for the temporary

suspension of a license, certificate of registry, or document for up to 45 days without a hearing, in certain circumstances, and a hearing within 30 days of any such suspension. This rulemaking would consolidate all procedural rules for administrative adjudications for class II civil penalties, and allow the Coast Guard to promulgate regulations implementing the OPA 90 authority. This project supports the strategic goal of the Coast Guard to promote marine safety. It would also align our rules with the Coast Guard and Maritime Transportation Act of 2004.

Timetable:

| Action | Date | FR Cite |
|--|----------|-------------|
| NPRM | 04/06/98 | 63 FR 16731 |
| NPRM Comment Period End | 05/06/98 | |
| NPRM Comment Period Reopened | 05/20/98 | 63 FR 27700 |
| NPRM Comment Period End | 06/19/98 | |
| Interim Final Rule Effective | 05/24/99 | 64 FR 28054 |
| Interim Final Rule Effective | 06/23/99 | |
| Interim Final Rule Correction | 06/28/99 | 64 FR 34540 |
| Interim Final Rule Comment Period End | 07/23/99 | |
| Interim Final Rule Comment Period Reopened | 10/05/99 | 64 FR 53970 |
| Interim Final Rule Comment Period End | 04/03/00 | |
| Supplemental NPRM | 03/00/06 | |
| Final Rule | 09/00/06 | |

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Additional Information: This rulemaking revises in part the previous docket of CGD 94-101, which was terminated on December 20, 1995.

Transferred from RIN 2115-AF59

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: George Jordan, Project Manager, G—CJ, Department of Homeland Security, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593–0001
Phone: 202 267–2940

RIN: 1625–AA59**1358. ADMINISTRATIVE CHANGES TO NUMBERING OF VESSELS AND REPORTING OF CASUALTIES (USCG–2003–14963)****Priority:** Substantive, Nonsignificant**Legal Authority:** 31 USC 9701; 46 USC 2110; 46 USC 4302; 46 USC 4310; 46 USC 6101; 46 USC 6102; 46 USC 12301; 46 USC 12302; 46 USC 12502; PL 100–710; DHS Security Delegation No. 0170.1**CFR Citation:** 33 CFR 173; 33 CFR 174; 33 CFR 181**Legal Deadline:** None

Abstract: This rulemaking would amend the Coast Guard's rules on States' numbering of undocumented vessels and on the reporting of accidents. It would harmonize terminology governing the Standard Numbering System, the Vessel Identification System, and the Casualty or Accident Report to help us collect better data, process them more efficiently, and use them more effectively to prevent boating accidents. This project supports the Coast Guard's strategic goals of maritime safety and maritime security.

Timetable:

| Action | Date | FR Cite |
|--------|----------|---------|
| NPRM | 11/00/05 | |

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Jeanne Timmons, Project Manager, G—OPB–1, Department of Homeland Security, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593–0001
Phone: 202 267–0857

RIN: 1625–AA70**1359. COMMERCIAL FISHING INDUSTRY VESSELS (USCG–2003–16158)****Priority:** Other Significant. Major status under 5 USC 801 is undetermined.**Legal Authority:** 46 USC 4502(a) to 4502(d); 46 USC 4502; 46 USC 4506; 46 USC 6104; 46 USC 10603; DHS Delegation No. 0170.1(92)**CFR Citation:** 46 CFR 28**Legal Deadline:** None

Abstract: This rulemaking would add new and clarify existing rules for

commercial fishing vessels in 46 CFR part 28. It would also establish rules on stability and watertight integrity for fishing vessels under 79 feet in length and institute regulations for the carriage of immersion suits in seasonally cold waters. To improve crew preparedness in case of an emergency, this project would also add requirements such as mandatory logging of already required drills, providing evidence of training, and ensuring that personnel required to be trained are current in their training. The project would amend 46 CFR part 28 to clarify and improve the consistency of the regulatory language so to aid in vessels compliance with the existing rules. This rulemaking supports the Coast Guard's strategic goals of maritime safety and protection of natural resources.

Timetable:

| Action | Date | FR Cite |
|--------|----------|---------|
| NPRM | 07/00/06 | |

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Federal, Tribal

Agency Contact: Mr. Mike Rosecrans, Project Manager, Department of Homeland Security, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593
Phone: 202 267-0505

RIN: 1625-AA77

1360. DRY CARGO RESIDUE DISCHARGES IN THE GREAT LAKES (USCG-2004-19621)

Priority: Substantive, Nonsignificant

Legal Authority: PL 108-293

CFR Citation: 33 CFR 151

Legal Deadline: None

Abstract: This rulemaking implements congressional directives. Public Law 108-293 directs the Coast Guard to continue implementation of an existing enforcement policy that regulates incidental dry cargo residue on the Great Lakes, until September 30, 2008, or until the promulgation of new regulations that would replace the existing policy. The statute also directs the Coast Guard to undertake any environmental assessment that would be necessary to support new regulations.

Timetable:

| Action | Date | FR Cite |
|--------|----------|---------|
| NPRM | 05/00/06 | |

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Additional Information: Supplementary information about this rulemaking may be found in the docket for this rulemaking. The docket may be accessed via the URL listed below.

URL For More Information:
www.dms.dot.gov

Agency Contact: LCDR Mary Sohlberg, Department of Homeland Security, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593
Phone: 202 267-0713
Email: msohlberg@comdt.uscg.mil

RIN: 1625-AA89

1361. POLLUTION PREVENTION EQUIPMENT (USCG-2004-18939)

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 33 USC 1903; 46 USC 3703; DHS Delegation No. 0170.1

CFR Citation: 33 CFR 151; 33 CFR 155; 33 CFR 157; 46 CFR 162

Legal Deadline: None

Abstract: This rulemaking would revise the Coast Guard's pollution prevention equipment (PPE) regulations to reflect and implement International Convention for the Prevention of Pollution from Ships (MARPOL) Annex I, Regulations for the Prevention of Pollution guidelines and specifications that Member States are invited to make applicable on or after January 1, 2005. The new standards will require equipment designed to reduce the amount of oil discharged from ships and eliminate the need for ozone-depleting solvents to test this equipment for approval. Additionally, this rulemaking proposes the removal of the bilge monitor standard to better align the 46 CFR subpart 162.050 regulations with the IMO PPE guidelines. This project supports the Coast Guard's strategic goals of maritime safety and protection of natural resources.

Timetable:

| Action | Date | FR Cite |
|--------|----------|---------|
| NPRM | 11/00/05 | |

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State

Agency Contact: LCDR George Grills, Project Manager (G-MSE-3), Department of Homeland Security, U.S. Coast Guard, 2100 Second Street SW, Washington, DC 29593-0001
Phone: 202 267-6640
Email: ggrills@comdt.uscg.mil

RIN: 1625-AA90

1362. ALTERNATE COMPLIANCE PROGRAM: VESSEL INSPECTION ALTERNATIVES

Priority: Substantive, Nonsignificant

Legal Authority: 33 USC 1903; 43 USC 1333; 46 USC 3703; ...

CFR Citation: 46 CFR 2; 46 CFR 8; 46 CFR 189

Legal Deadline: None

Abstract: This rulemaking would: Update the list in 46 CFR 2.01-25 of those SOLAS certificates that we issue; Add, in 46 CFR 8.320(b), the following safety certificates to the list of international certificates that can be issued by an authorized classification society:

SOLAS Passenger Ship Safety Certificate (PSSC)

IMO High-Speed Craft (HSC) Safety Certificate;

Add a condition to 46 CFR 8.420(c) stating that, in order for a recognized class society to be fully eligible to participate in the ACP, it must first be delegated issuing authority for the following certificates:

SOLAS Cargo Ship Safety Construction Certificate

SOLAS Cargo Ship Safety Equipment Certificate

International Load Line Certificate

International Tonnage Certificate

International Oil Pollution Prevention Certificate;

Extend eligibility in the ACP to Oceanographic Research Vessels by adding a new section 46 CFR 189.15-3 to reference part 8; and, Remove references to the American Bureau of Shipping (ABS) throughout the ACP

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Proposed Rule Stage

regulations and replace them with references to “authorized classification society.” This rulemaking is intended to expand the benefits available under the ACP. This project supports the Coast Guard’s strategic goals of facilitating maritime safety and mobility.

Timetable:

| Action | Date | FR Cite |
|--------|----------|---------|
| NPRM | 11/00/05 | |

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Lt. William Nabach, Department of Homeland Security, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593
Phone: 202 267-4004

RIN: 1625-AA92

1363. VESSEL DOCUMENTATION: LEASE FINANCING FOR VESSELS ENGAGED IN THE COASTWISE TRADE

Priority: Substantive, Nonsignificant

Legal Authority: 46 USC 12106

CFR Citation: 46 CFR 67; 46 CFR 68

Legal Deadline: Final, Statutory, August 9, 2005.

Abstract: The Coast Guard proposes to amend its regulations on the documentation of foreign-owned, U.S.-built vessels that are lease-financed by demise charter to a U.S. citizen for use in the coastwise trade. These proposals address amendments under the Coast Guard and Maritime Transportation Act of 2004.

Timetable:

| Action | Date | FR Cite |
|--------|----------|---------|
| NPRM | 12/00/05 | |

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Thomas Willis, Project Manager, NVDC, Department of Homeland Security, U.S. Coast Guard, 792 TJ Jackson Drive, Falling Waters, WV 25419
Phone: 304 271-2506
RIN: 1625-AA95

1364. WAIVER FOR MARKING SUNKEN VESSELS WITH LIGHT AT NIGHT (USCG-2005-20488)

Priority: Substantive, Nonsignificant

Legal Authority: 33 USC 409

CFR Citation: 33 CFR 64

Legal Deadline: None

Abstract: The proposed rulemaking would implement new legislation that allows the Coast Guard the option to waive the requirement for an owner of a vessel wrecked and sunk in a navigable channel to mark it with a light at night. The proposed rulemaking would meet the Commandant’s objectives of maritime safety, maritime mobility, and protection of natural resources.

Timetable:

| Action | Date | FR Cite |
|--------|----------|---------|
| NPRM | 02/00/06 | |

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected:

Undetermined

Federalism: Undetermined

Agency Contact: Daniel Andrusiak, Project Manager, G-OPN-2, Department of Homeland Security, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001
Phone: 202 267-0327

RIN: 1625-AA97

1365. • OIL SPILL LIABILITY TRUST FUND CONSUMER PRICE INDEX (CPI) ADJUSTMENT OF VESSEL LIMITS OF LIABILITY

Priority: Substantive, Nonsignificant

Legal Authority: 33 USC 2704

CFR Citation: 33 CFR 138

Legal Deadline: None

Abstract: This regulation would implement OPA 90’s mandate to update vessel limits of liability by the Consumer Price Index when significant increases occur. This regulation would support the Coast Guard’s strategic goal of protection of natural resources.

Timetable:

| Action | Date | FR Cite |
|--------|----------|---------|
| NPRM | 11/00/05 | |

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Benjamin White, National Pollution Funds Center, Department of Homeland Security, U.S. Coast Guard, 4200 Wilson Boulevard, Arlington, VA 22203-1804
Phone: 202 493-6801

RIN: 1625-AA98

Department of Homeland Security (DHS) U.S. Coast Guard (USCG)

Final Rule Stage

1366. REPORTING MARINE CASUALTIES (USCG-2000-6927)

Priority: Other Significant

Legal Authority: 46 USC 6101; 33 USC 1901 et seq

CFR Citation: 33 CFR 151; 46 CFR 4

Legal Deadline: None

Abstract: This action would add to the definition of a reportable marine casualty, “significant harm to the

environment.” Some casualty reporting requirements are extended to include foreign tank vessels operating in U.S. waters, including the Exclusive Economic Zone. This project supports the Coast Guard’s Marine Safety and Environmental Protection program’s goal to reduce the consequence of pollution incidents and further supports the Coast Guard’s strategic goal of protection of natural resources.

Timetable:

| Action | Date | FR Cite |
|--------------------------------------|----------|-------------|
| Request for Comments | 12/20/94 | 59 FR 65522 |
| Comment Period End | 02/20/95 | |
| NPRM | 11/02/00 | 65 FR 65808 |
| Supplemental NPRM | 07/12/01 | 66 FR 36530 |
| Supplemental NPRM Comment Period End | 09/10/01 | |
| Final Rule | 11/00/05 | |

DHS—USCG

Final Rule Stage

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** Transferred from RIN 2115-AD98**URL For More Information:**

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: LCDR Kelly Post, Project Manager, G—MOA—1, Department of Homeland Security, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593
Phone: 202 267-1418

RIN: 1625-AA04
1367. LIMITED SERVICE DOMESTIC VOYAGE LOAD LINES FOR RIVER BARGES ON LAKE MICHIGAN (USCG-1998-4623)
Priority: Substantive, Nonsignificant**Legal Authority:** 46 USC 51**CFR Citation:** 46 CFR 45**Legal Deadline:** None

Abstract: This regulatory project will allow certain unmanned dry cargo river barges operating on Lake Michigan to be exempted from the normal Great Lakes load line requirements. Instead, they may qualify for a conditional load line exemption, or for a limited service domestic voyage load line (depending on which Lake Michigan route). This rulemaking pertains to two specific routes: Chicago to Milwaukee, and Chicago to Muskegon. This will allow certain non-hazardous cargoes originating at inland river ports to be transported as far as Milwaukee and Muskegon by river barge, thereby benefiting from the relatively low cost per ton-mile of river barge transportation. Compliance is not mandatory other than for those river barge operators who voluntarily seek to expand their operations onto these routes. This rulemaking supports the Coast Guard's strategic goals of maritime safety and maritime mobility.

Timetable:

| Action | Date | FR Cite |
|------------------------------|----------|-------------|
| NPRM | 11/02/98 | 63 FR 58679 |
| NPRM Comment Period Extended | 12/28/98 | 63 FR 71411 |
| Comment Period End | 01/04/99 | |
| NPRM Comment Period End | 03/04/99 | |

| Action | Date | FR Cite |
|---|----------|-------------|
| Interim Final Rule | 04/23/02 | 67 FR 19685 |
| Interim Final Rule Effective | 05/23/02 | |
| Collection of Information Sections Effective | 06/20/02 | |
| Interim Final Rule—Announcement of Effective Date of COI Sections | 06/20/02 | 67 FR 41847 |
| Interim Final Rule Comment Period End | 10/23/02 | |
| Final Rule | 05/00/06 | |

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses, Organizations**Government Levels Affected:** None**Additional Information:** Old Docket Number CGD 95-015.

Transferred from RIN 2115-AF38

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Thomas Jordan, Project Manager, G—MSE—2, Department of Homeland Security, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001
Phone: 202 267-2988

RIN: 1625-AA17
1368. DEEPWATER PORTS (USCG-1998-3884)
Priority: Substantive, Nonsignificant**Legal Authority:** 33 USC 1504**CFR Citation:** 33 CFR 148 to 150**Legal Deadline:** None

Abstract: This rulemaking project revises regulations adopted in 1975 to implement the Deepwater Port Act of 1974. It updates and streamlines those regulations in accordance with the 1996 Deepwater Port Modernization Act. It also extends the deepwater port regulations to the natural gas deepwater ports authorized by Congress in the Maritime Transportation Security Act of 2002. This project supports the Coast Guard's strategic goals of maritime safety and protection of natural resources.

Timetable:

| Action | Date | FR Cite |
|--------|----------|-------------|
| ANPRM | 08/29/97 | 62 FR 45774 |

| Action | Date | FR Cite |
|---|----------|-------------|
| ANPRM Comment Period End | 10/13/97 | |
| NPRM | 05/30/02 | 67 FR 37920 |
| NPRM Comment Period End | 07/29/02 | |
| NPRM Comment Period Reopened | 08/19/02 | 67 FR 53764 |
| Second NPRM Comment Period End | 09/18/02 | |
| Temporary Interim Rule | 01/06/04 | 69 FR 724 |
| Temporary Interim Rule Comment Period End | 07/05/04 | |
| Final Rule | 10/00/06 | |

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Additional Information: An advance notice of proposed rulemaking was published under Docket Number USCG-1998-4441. That docket number is replaced with USCG-1998-3884.

Transferred from RIN 2115-AF63

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Kevin Tone, LCDR, Department of Homeland Security, U.S. Coast Guard, 2100 Second St. SW., Washington, DC 20593
Phone: 202 267-0226

RIN: 1625-AA20
1369. VESSEL AND FACILITY RESPONSE PLANS FOR OIL: 2003 REMOVAL EQUIPMENT REQUIREMENTS AND ALTERNATIVE TECHNOLOGY REVISIONS (USCG-2001-8661)
Priority: Other Significant**Legal Authority:** 33 USC 1321**CFR Citation:** 33 CFR 153; 33 CFR 154; 33 CFR 155**Legal Deadline:** None

Abstract: This rulemaking will propose changes to the Vessel Response Plans and Marine Transportation Facility Response Plans, and revise the language in the Code of Federal Regulations concerning methods and procedures for removing oil from coastal waters. This rulemaking supports the Coast Guard's strategic goal of protection of natural resources.

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Timetable:

| Action | Date | FR Cite |
|--|----------|-------------|
| NPRM | 10/11/02 | 67 FR 63331 |
| NPRM Comment Period Extended | 11/19/02 | 67 FR 69697 |
| NPRM Comment Period End | 01/09/03 | |
| Extended NPRM Comment Period End | 04/08/03 | |
| Final Rule | 07/00/06 | |

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** Transferred from RIN 2115-AG05**URL For More Information:**

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Lt. Eric Bauer, Project Manager, G—MOR, Department of Homeland Security, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001
Phone: 202 267-0417

RIN: 1625-AA26

1370. MARINE CASUALTIES AND INVESTIGATIONS; CHEMICAL TESTING FOLLOWING SERIOUS MARINE INCIDENTS (USCG-2001-8773)

Regulatory Plan: This entry is Seq. No. 59 in part II of this issue of the **Federal Register**.

RIN: 1625-AA27

1371. DRAWBRIDGE OPERATIONS REGULATIONS; REVISIONS (USCG-2001-10881)

Priority: Substantive, Nonsignificant**Legal Authority:** 33 USC 499**CFR Citation:** 33 CFR 117**Legal Deadline:** None

Abstract: The Coast Guard is proposing changes to its drawbridge regulations that provide guidance for general requirements relating to the use and operation of drawbridges. This project will create a new deviation for short-term closures, provide Coast Guard Eighth District Bridges Administration St. Louis, MO, with a general bridge closure requirement during the winter season when navigation is reduced, and

eliminate any unnecessary distinction between commercial and recreational vessels in subpart B. It will also make changes throughout part 117 to remove redundancies, make amendments and technical corrections, and remove special bridge regulations that are no longer functional. Corrections and clarification of these requirements will help to streamline the drawbridge regulatory process and should shorten and simplify part 117 for the reader. This rulemaking supports the Coast Guard's strategic goal of maritime mobility.

Timetable:

| Action | Date | FR Cite |
|----------------------------|----------|-------------|
| NPRM | 04/17/03 | 68 FR 18922 |
| NPRM Comment Period End | 06/02/03 | |
| Final Rule | 11/00/05 | |

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Additional Information:** Transferred from RIN 2115-AG27**URL For More Information:**

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: J. Christopher Jaufmann, Project Manager (G—OPT-1), Department of Homeland Security, U.S. Coast Guard, U.S. Coast Guard Headquarters, 2100 Second Street SW., Washington, DC 20593-0001
Phone: 202 267-0377

RIN: 1625-AA36

1372. PROTECTION FOR WHISTLEBLOWERS IN THE COAST GUARD (USCG-2002-13016)

Priority: Substantive, Nonsignificant**Legal Authority:** 10 USC 1034**CFR Citation:** 33 CFR 53**Legal Deadline:** None

Abstract: This rulemaking would amend 33 CFR part 53 both by extending coverage to uniformed members of the Coast Guard who make "protected" communications either to an organization within the Department within which the Coast Guard is operating concerned with audit, inspection, or law enforcement, or to any other person or organization (including any person or organization in the chain of command) designated

pursuant to regulations to receive such communications, and by extending the nature of protected communications to comprise complaints: (a) Of violations of statute or regulation prohibiting sexual harassment; (b) of unlawful discrimination; and (c) of gross mismanagement. This project supports the Coast Guard's five strategic goals of maritime safety and security, protection of natural resources, maritime mobility, and national defense.

Timetable:

| Action | Date | FR Cite |
|------------|----------|---------|
| Final Rule | 03/00/06 | |

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** Transferred from RIN 2115-AG49

Agency Contact: Lt. Patrick Grace, Project Manager, G—LGL, Department of Homeland Security, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593
Phone: 202 267-0064

RIN: 1625-AA50

1373. REVIEW AND UPDATE OF STANDARDS FOR MARINE EQUIPMENT (USCG-2003-16630)

Priority: Substantive, Nonsignificant**Legal Authority:** 46 USC 3306; 46 USC 4102; 46 USC 4302

CFR Citation: 46 CFR Part 32; 46 CFR Part 50; 46 CFR Part 52; 46 CFR Parts 53 to 54; 46 CFR Part 56; 46 CFR Part 58; 46 CFR Parts 59 to 63; 46 CFR Part 66; 46 CFR Part 68; 46 CFR Part 70; 46 CFR Part 72; 46 CFR Parts 110 to 111; 46 CFR Part 113; 46 CFR Part 162; 46 CFR Part 170; 46 CFR Part 175; 46 CFR Parts 182 to 183

Legal Deadline: None

Abstract: This project would incorporate national and international standards for certain marine equipment and marine electrical equipment into Title 46 of the Code of Federal Regulations (CFR). These standards would replace long-outdated ones, or update standards that were superseded fairly recently. The Coast Guard has actively participated in the development of national and international standards of safety for

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marine equipment through the International Maritime Organization, the International Organization for Standardization, and the American Society for Testing and Materials, as well as through other standards-setting bodies under the American National Standards Institute. We would incorporate these standards into the appropriate parts of title 46.

Timetable:

| Action | Date | FR Cite |
|-------------------------|----------|-------------|
| NPRM | 06/30/04 | 69 FR 39742 |
| NPRM Comment Period End | 09/28/04 | |
| Final Rule | 01/00/06 | |

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Thane Gilman, Project Manager, G–MSE, Department of Homeland Security, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593
Phone: 202 267–6048
Email: tgilman@comdt.uscg.mil

RIN: 1625–AA83

1374. VALIDATION OF MERCHANT MARINERS' VITAL INFORMATION AND ISSUANCE OF COAST GUARD MERCHANT MARINER'S LICENSES AND CERTIFICATES OF REGISTRY (USCG–2004–17455)

Regulatory Plan: This entry is Seq. No. 60 in part II of this issue of the **Federal Register**.

RIN: 1625–AA85

1375. NOTIFICATION OF ARRIVAL IN U.S. PORTS; CERTAIN DANGEROUS CARGOES; ELECTRONIC SUBMISSION (USCG–2004–19963)

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Legal Authority: 33 USC 1226; 46 USC ch 701; 50 USC 191; 33 CFR 1.05–1; 33 CFR 6.04–11; 33 CFR 6.14; 33 CFR 6.16; 33 CFR 6.19; DHS Delegation No. 0170.1; 33 USC 1223

CFR Citation: 33 CFR 160; 33 CFR 104; 33 CFR 105

Legal Deadline: None

Abstract: This rulemaking project would permanently revise the Notice of Arrival (NOA) regulation, 33 CFR part 160, subpart C, by: 1) Adding to the list of certain dangerous cargo (CDC) ammonium nitrate and certain ammonium nitrate based fertilizers, in bulk, as well as propylene oxide, alone or mixed with ethylene oxide, in bulk; and 2) adding two options for vessels to submit NOAs electronically. In addition, the proposed rule would clarify that foreign, but not U.S., recreational vessels must submit NOAs. The rulemaking would also permanently revise 33 CFR parts 104 and 105 as necessary. This project supports the Coast Guard's strategic goals of maritime safety, maritime security, and protection of natural resources.

Timetable:

| Action | Date | FR Cite |
|------------------------------|----------|---------|
| Interim Rule | 01/00/06 | |
| Interim Final Rule Effective | 02/00/06 | |

| Action | Date | FR Cite |
|---------------------------------------|----------|---------|
| Interim Final Rule Comment Period End | 04/00/06 | |

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: LTJG Julie Miller, Project Manager, G–MPP, Department of Homeland Security, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593
Phone: 202 267–0069

Related RIN: Related to 1625–AA41, Related to 1625–AA96

RIN: 1625–AA93

1376. • VESSEL REQUIREMENTS FOR NOTICES OF ARRIVAL AND DEPARTURE, AND CARRIAGE OF AUTOMATIC IDENTIFICATION SYSTEM (USCG–2005–21869)

Regulatory Plan: This entry is Seq. No. 61 in part II of this issue of the **Federal Register**.

RIN: 1625–AA99

Department of Homeland Security (DHS) U.S. Coast Guard (USCG)

Long-Term Actions

1377. SAFETY ZONE REGULATIONS

Priority: Routine and Frequent

Legal Authority: 33 USC 1226; 33 USC 1231; 33 USC 1333; 50 USC 191; 50 USC 195; 14 USC 85

CFR Citation: 33 CFR 165

Legal Deadline: None

Abstract: The Coast Guard uses these routine and frequent regulations to establish control of access to areas to ensure the safety of events, vessels, or individuals. Many of these zones are of short duration, ranging from a few hours to a few days, and all are

geographically limited in area. Safety zones, defined in 33 CFR 165.20, are established for events such as fireworks displays, high-speed races, bridge repairs, dredging, or salvage operations, or the transit of dangerous cargoes such as explosives or liquefied petroleum gas. Safety zones are promulgated by Captains of the Port or District Commanders. These routine and frequent rulemakings support the Coast Guard's strategic goals of marine safety, maritime mobility, and protection of natural resources. Safety zones under the Outer Continental Shelf Lands Act are also included in these routine and

frequent regulations. The total actions expected from October 1, 2005, to April 30, 2006, are 300.

Timetable:

| Action | Date | FR Cite |
|-------------------------------|----------|---------|
| Actions Will Continue Through | 12/00/06 | |

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: Routine and frequent rulemakings issued under this

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Long-Term Actions

RIN will each have an individual docket number.

Agency Contact: George Detweiler, Project Manager G—MWV, Department of Homeland Security, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593–0001
Phone: 202 267–0574

RIN: 1625–AA00

1378. SPECIAL ANCHORAGE AREAS/ANCHORAGE GROUNDS REGULATIONS

Priority: Routine and Frequent

Legal Authority: 33 USC 471; 33 USC 2030; 33 USC 2035; 33 USC 2071

CFR Citation: 33 CFR 110

Legal Deadline: None

Abstract: These routine and frequent regulations are established where maritime and commercial interests require them for safety of navigation. Special anchorage areas are areas in which vessels of not more than 65 feet may anchor without displaying the required lights or sound signals. These special anchorage areas are limited geographically, and depending upon the purpose, establish both long- and short-term anchorages. Anchorage grounds are limited geographically, delineate the types and size of vessel which may use the anchorage, and may place time and other restrictions on its use. Special anchorage areas and anchorage grounds are promulgated by District Commanders in response to requests from appropriate officials. These routine and frequent rulemakings support the Coast Guard's strategic goal of marine safety. The total actions expected from October 1, 2005, to April 30, 2006, are 18.

Timetable:

| Action | Date | FR Cite |
|-------------------------------|----------|---------|
| Actions Will Continue Through | 12/00/06 | |

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: Routine and frequent rulemakings issued under this RIN will have individual docket numbers.

Transferred from RIN 2115-AA98

Agency Contact: Ed LaRue, Project Manager, G—MWV, Department of

Homeland Security, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593

Phone: 202 267–0416

Email: elarue@comdt.uscg.mil

RIN: 1625–AA01

1379. DISCHARGE-REMOVAL EQUIPMENT FOR VESSELS CARRYING OIL (CGD 90–068)

Priority: Other Significant

Legal Authority: 33 USC 1321

CFR Citation: 33 CFR 155

Legal Deadline: Final, Statutory, August 18, 1992.

Abstract: The Oil Pollution Act of 1990 directed the President by August 18, 1992, to require periodic inspection of discharge-removal equipment to ensure that it is available in an emergency, and to require carriage of discharge-removal equipment by vessels operating in the navigable waters of the United States and carrying oil or hazardous substances. This action implemented those provisions. This project supports the Coast Guard's strategic goal of protection of natural resources. This project is considered significant because of substantial public interest.

Timetable:

| Action | Date | FR Cite |
|---------------------------------------|----------|-------------|
| ANPRM | 08/30/91 | 56 FR 43534 |
| ANPRM Comment Period End | 10/16/91 | |
| NPRM | 09/29/92 | 57 FR 44912 |
| NPRM Comment Period Extended | 10/26/92 | 57 FR 48489 |
| NPRM Comment Period End | 10/29/92 | |
| NPRM Comment Period Extended | 11/16/92 | |
| Interim Final Rule | 12/22/93 | 58 FR 67988 |
| Interim Final Rule Effective | 01/21/94 | |
| Correction | 01/26/94 | 59 FR 3749 |
| Interim Final Rule Comment Period End | 02/22/94 | |
| Next Action Undetermined | | |

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: Transferred from RIN 2115-AD66

Agency Contact: David A. DuPont, Project Manager, G—MSR–2, Department of Homeland Security, U.S. Coast

Guard, 2100 Second Street SW., Washington, DC 20593–0001
Phone: 202 267–0971

RIN: 1625–AA02

1380. STATE ACCESS TO THE OIL SPILL LIABILITY TRUST FUND (USCG–2004–19123)

Priority: Substantive, Nonsignificant

Legal Authority: 33 USC 2712

CFR Citation: 33 CFR 133

Legal Deadline: NPRM, Statutory, February 18, 1991.

Abstract: Pursuant to the Oil Pollution Act of 1990 (OPA 90), this action specifies how the authority to obligate the pollution trust fund for oil spill response and clean-up efforts and to enter into agreements with the States will be exercised. The Coast Guard is evaluating the performance of the interim rule. This rulemaking supports the Coast Guard's strategic goal of the protection of natural resources.

Timetable:

| Action | Date | FR Cite |
|--------------------|----------|-------------|
| Interim Rule | 11/13/92 | 57 FR 53968 |
| Interim Final Rule | 02/11/93 | |
| Comment Period End | | |
| Supplementary NPRM | 12/00/06 | |

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State

Additional Information: The rulemaking priority was downgraded from Other Significant to Substantive, Nonsignificant in the November 14, 1994, agenda. However, due to administrative error, the document erroneously reflected Other Significant in subsequent agenda entries.

Transferred from RIN 2115-AE19

This rulemaking was formerly docket number CGD92-014.

Agency Contact: Benjamin White, National Pollution Funds Center, Department of Homeland Security, U.S. Coast Guard, 4200 Wilson Boulevard, Arlington, VA 22203–1804
Phone: 202 493–6801

RIN: 1625–AA06

DHS—USCG

Long-Term Actions

1381. REGATTA AND MARINE PARADE REGULATIONS**Priority:** Routine and Frequent**Legal Authority:** 33 USC 1233**CFR Citation:** 33 CFR 100**Legal Deadline:** None

Abstract: These routine and frequent, special local regulations ensure the safety of participants and spectators during regattas and marine parades. The regulations or rules specify such controls as separate participant and spectator areas, separation schemes for watercraft in the area of the event, and temporary restrictions on waterways to accommodate the event. These rules are short-term in nature, usually applying to a single event not exceeding eight hours in duration, and usually encompass only a small portion of a navigable waterway. These rules are promulgated by District Commanders in response to a request from an event-sponsoring organization. These routine and frequent rulemakings support the Coast Guard's strategic goals of maritime safety and maritime mobility of commercial and recreational vessel traffic. The total actions expected from May 1, 2005, to April 30, 2006, are 68.

Timetable:

| Action | Date | FR Cite |
|------------------------------|----------|---------|
| Action Will Continue Through | 12/00/06 | |

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Businesses, Organizations**Government Levels Affected:** None**Additional Information:** Routine and frequent rulemakings issued under this RIN will have individual docket numbers.

Transferred from RIN 2115-AE46

Agency Contact: Carlton Perry, Project Manager, G-OPB-1, Department of Homeland Security, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001
Phone: 202 267-0979

RIN: 1625-AA08**1382. DRAWBRIDGE REGULATIONS****Priority:** Routine and Frequent**Legal Authority:** 33 USC 499**CFR Citation:** 33 CFR 117**Legal Deadline:** None

Abstract: These routine and frequent regulations establish operating schedules and notice requirements for drawbridges across navigable waterways. Drawbridge regulations establish the permanent draw operation schedules for bridges and specify what notice mariners must give to request an opening. Short-term deviations from the permanent schedule may be issued for bridge repairs or to test the effectiveness of a proposed new opening schedule. Drawbridge regulations are promulgated by District Commanders usually at the request of the bridge owner or operator, or of local officials or local Coast Guard bridge administration officials. These routine and frequent rulemakings support the Coast Guard's strategic goals of maritime safety and maritime mobility of commercial and recreational vessel traffic. The total actions expected from May 1, 2005, to April 30, 2006, are 150.

Timetable:

| Action | Date | FR Cite |
|-------------------------------|----------|---------|
| Actions Will Continue Through | 12/00/06 | |

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Businesses, Governmental Jurisdictions**Government Levels Affected:** None**Additional Information:** Routine and frequent rulemakings issued under this RIN will have individual docket numbers.

Transferred from RIN 2115-AE47

Agency Contact: Alesia Steinberger, Project Manager, G-OPT-1, Department of Homeland Security, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001
Phone: 202 267-6215

RIN: 1625-AA09**1383. ESCORT VESSELS IN CERTAIN U.S. WATERS (CGD 91-202A)****Priority:** Other Significant**Legal Authority:** PL 101-380, sec 4116(c) (codified as 46 USC 373 note)**CFR Citation:** 33 CFR 168**Legal Deadline:** None

Abstract: This rule would designate those U.S. waters, other than Prince William Sound and Puget Sound, where tankers and other vessels must be escorted by a towing vessel or other

appropriate vessel. This project supports the Coast Guard's Marine Safety, Security and Environmental Protection program's goal to reduce the amount of oil discharged into the marine environment and the Coast Guard's strategic goal of protecting natural resources. It is significant because of substantial public and State government interest.

Timetable:

| Action | Date | FR Cite |
|----------------------|--------------|-------------|
| ANPRM | 04/27/93 | 58 FR 25766 |
| Comment Period End | 06/28/93 | |
| Request for Comments | 12/21/94 | 59 FR 65741 |
| Comment Period End | 02/13/95 | |
| Next Action | Undetermined | |

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Businesses**Government Levels Affected:** None**Federalism:** Undetermined

Additional Information: We are in the process of deciding how to respond to the comments we have received. This rulemaking is a companion to RIN 1625-AA05, which concerns Prince William Sound and Puget Sound.

Transferred from RIN 2115-AE56

Agency Contact: Lt. Vivianne Louie, Project Manager, G-MSE-1, Department of Homeland Security, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593
Phone: 202 267-0173
Email: vlouie@comdt.uscg.mil

Related RIN: Related to 2115-AE10**RIN:** 1625-AA10**1384. REGULATED NAVIGATION AREAS****Priority:** Routine and Frequent**Legal Authority:** 33 USC 1231; 33 USC 1226; 46 USC 701; 50 USC 191; 50 USC 195**CFR Citation:** 33 CFR 165**Legal Deadline:** None

Abstract: These routine and frequent regulations establish operating requirements for vessels within specified geographic areas to ensure safety on the navigable waters where some special or unusual circumstance exists. Regulated navigation areas are limited areas in which the Coast Guard specifies operational or vessel

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restrictions such as vessel entry, movement or departure, and vessel size, speed, horsepower, or draft limitations. Regulated navigation areas are promulgated by District Commanders, usually at the request of Coast Guard marine safety or local maritime safety officials. These routine and frequent rulemakings support the Coast Guard's strategic goals of waterways management, marine safety, and maritime mobility. The total actions expected from October 1, 2005, to April 30, 2006, are 11.

Timetable:

| Action | Date | FR Cite |
|-------------------------------|----------|---------|
| Actions Will Continue Through | 12/00/06 | |

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Additional Information: Routine and frequent rulemakings issued under this RIN will have individual docket numbers.

Transferred from RIN 2115-AE84

Agency Contact: Ed LaRue, Project Manager, G-MWV, Department of Homeland Security, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593

Phone: 202 267-0416

Email: elarue@comdt.uscg.mil

RIN: 1625-AA11

1385. MARINE TRANSPORTATION-RELATED FACILITY RESPONSE PLANS FOR HAZARDOUS SUBSTANCES (USCG-1999-5705)

Priority: Other Significant**Legal Authority:** 33 USC 1321(j); PL 101-380**CFR Citation:** 33 CFR 154**Legal Deadline:** None

Abstract: This project would implement provisions of the Oil Pollution Act of 1990 that require an owner or operator of a marine transportation-related facility transferring bulk hazardous substances to develop and operate in accordance with an approved response plan. The regulations would apply to marine transportation-related facilities that, because of their location, could cause harm to the environment by

discharging a hazardous substance into or on the navigable waters or adjoining shoreline. A separate rulemaking, under RIN 1625-AA13, was developed in tandem with this rulemaking and addresses hazardous substances response plan requirements for tank vessels. This project supports the Coast Guard's strategic goals of maritime safety and protection of natural resources by reducing the consequence of pollution incidents. This action is considered significant because of substantial public and industry interest.

Timetable:

| Action | Date | FR Cite |
|---------------------------|----------|-------------|
| ANPRM | 05/03/96 | 61 FR 20084 |
| Notice of Public Hearings | 07/03/96 | 61 FR 34775 |
| ANPRM Comment Period End | 09/03/96 | |
| NPRM | 03/31/00 | 65 FR 17416 |
| NPRM Comment Period End | 06/29/00 | |
| Next Action Undetermined | | |

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Additional Information: Old Docket Number CGD 94-048. Public hearings regarding this rulemaking were held in Washington, DC on July 30, 1996; Houston, TX on August 5, 1996; and Houston, TX on February 26 and 27, 1997. Public meetings for the notice of proposed rulemaking were held in New Orleans, LA on May 10 and 11, 2000.

Transferred from RIN 2115-AE87

URL For More Information:
dms.dot.gov

URL For Public Comments:
dms.dot.gov

Agency Contact: Lt. Eric Bauer, Project Manager, G-MOR, Department of Homeland Security, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001
Phone: 202 267-0417

RIN: 1625-AA12

1386. TANK VESSEL RESPONSE PLANS FOR HAZARDOUS SUBSTANCES (USCG-1998-4354)

Priority: Other Significant**Legal Authority:** 33 USC 1231; 33 USC 1321(j); PL 101-380**CFR Citation:** 33 CFR 155**Legal Deadline:** None

Abstract: This project would implement provisions of the Oil Pollution Act of 1990 that require an owner or operator of a tank vessel carrying bulk hazardous substances to develop and operate in accordance with an approved response plan. The regulations would apply to vessels operating on the navigable waters or within the Exclusive Economic Zone (EEZ) of the United States that carry bulk hazardous substances. A separate rulemaking, under RIN 1625-AA12, would address hazardous substances response plan requirements for marine transportation-related facilities. This project supports the Coast Guard's strategic goals of maritime safety and protection of natural resources by reducing the amount of chemicals entering the environment, as well as reducing the consequences of pollution incidents. This project is considered significant because of substantial public and industry interest.

Timetable:

| Action | Date | FR Cite |
|----------------------------------|----------|-------------|
| ANPRM | 05/03/96 | 61 FR 20084 |
| Notice of Public Hearings | 07/03/96 | 61 FR 34775 |
| ANPRM Comment Period End | 09/03/96 | |
| NPRM | 03/22/99 | 64 FR 13734 |
| Notice of Public Hearing | 06/15/99 | 64 FR 31994 |
| NPRM Comment Period Extended | 06/15/99 | |
| NPRM Comment Period End | 06/21/99 | |
| NPRM Extended Comment Period End | 08/30/99 | |

Next Action Undetermined

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Additional Information: Old Docket Number CGD 94-032.

Public meetings regarding this rulemaking were held in Washington, DC, on July 30, 1996; Houston, TX, on August 5, 1996; and Houston, TX, on February 26 and 27, 1997. Public meetings for the notice of proposed rulemaking were held in Houston, TX, on August 12 and 13, 1999.

Transferred from RIN 2115-AE88

URL For More Information:
dms.dot.gov

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Long-Term Actions

URL For Public Comments:

dms.dot.gov

Agency Contact: Lt. Eric Bauer, Project Manager, G—MOR, Department of Homeland Security, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001
Phone: 202 267-0417

RIN: 1625-AA13

1387. NUMBERING OF UNDOCUMENTED BARGES (USCG-1998-3798)
Priority: Substantive, Nonsignificant**Legal Authority:** 46 USC 12301**CFR Citation:** 33 CFR 189**Legal Deadline:** None

Abstract: Title 46 U.S.C. 12301, as amended by the Abandoned Barge Act of 1992, requires that all undocumented barges of more than 100 gross tons operating on the navigable waters of the United States be numbered. This rulemaking would establish a numbering system for these barges. The numbering of undocumented barges will allow identification of owners of barges found abandoned and help prevent future marine pollution. This rulemaking supports the Coast Guard's strategic goal of protection of natural resources.

Timetable:

| Action | Date | FR Cite |
|----------------------------------|------------------|-------------|
| Request for Comments | 10/18/94 | 59 FR 52646 |
| Comment Period End | 01/17/95 | |
| ANPRM | 07/06/98 | 63 FR 36384 |
| ANPRM Comment Period End | 11/03/98 | |
| NPRM | 01/11/01 | 66 FR 2385 |
| NPRM Comment Period End | 04/11/01 | |
| NPRM Reopening of Comment Period | 08/12/04 | 69 FR 49844 |
| NPRM Comment Period End | 11/10/04 | |
| Final Rule | To Be Determined | |

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Additional Information: Old Docket Number CGD 93-091. In the 2002 spring agenda, we announced that we would be withdrawing this rulemaking but we are currently reevaluating that decision. We are in the process of deciding how to respond to the comments we have received.

Transferred from RIN 2115-AF13

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Patricia Williams, Project Manager, NVDC, Department of Homeland Security, U.S. Coast Guard, National Vessel Documentation Center, 792 T.J. Jackson Drive, Falling Waters, WV 25419
Phone: 304 271-2506

Phone: 304 271-2506

RIN: 1625-AA14

1388. OUTER CONTINENTAL SHELF ACTIVITIES (USCG-1998-3868)
Priority: Substantive, Nonsignificant**Legal Authority:** 43 USC 1333(d)(1); 43 USC 1348(c); 43 USC 1356**CFR Citation:** 33 CFR 140 to 147**Legal Deadline:** None

Abstract: This project would revise the regulations on Outer Continental Shelf (OCS) activities to: 1) Add new requirements for fixed OCS facilities for lifesaving, fire protection, training, hazardous materials used as stores, and accommodation spaces; 2) require foreign vessels engaged in OCS activities to comply with requirements similar to those imposed on U.S. vessels similarly engaged; and 3) allow all mobile inland drilling units to operate on the OCS out to a defined boundary line if they meet requirements for lifesaving, firefighting, and operations similar to those for fixed OCS facilities. This project would affect the owners and operators of facilities and vessels engaged in offshore activities associated with the exploration for, development of, or production of the resources of the OCS. The preliminary estimate of costs imposed by these amendments varies according to the unit. The Coast Guard is consulting with the Minerals Management Service, part of the Department of the Interior. It supports the Coast Guard's strategic goal of marine safety and environmental protection.

Timetable:

| Action | Date | FR Cite |
|----------------------|----------|-------------|
| Request for Comments | 06/27/95 | 60 FR 33185 |
| Comment Period End | 09/25/95 | |
| NPRM | 12/07/99 | 64 FR 68416 |
| NPRM Correction | 02/22/00 | 65 FR 8671 |

| Action | Date | FR Cite |
|------------------------------|----------|-------------|
| NPRM Comment Period Extended | 03/16/00 | 65 FR 14226 |
| NPRM Comment Period Extended | 06/30/00 | 65 FR 40559 |
| NPRM Comment Period End | 11/30/00 | |
| Final Rule | 10/00/06 | |

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No**Government Levels Affected:** None

Additional Information: The notice of request for comments published June 27, 1995, was assigned Coast Guard docket number 95-016. Following the request for comments, that docket was terminated. This project continues under Docket No. USCG-1998-3868 and RIN 1625-AA18.

Transferred from RIN 2115-AF39

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: James Magill, Project Manager, G—MSO-2, Department of Homeland Security, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001
Phone: 202 267-1082

RIN: 1625-AA18

1389. SALVAGE AND MARINE FIREFIGHTING REQUIREMENTS; VESSEL RESPONSE PLANS FOR OIL (USCG-1998-3417)

Priority: Economically Significant. Major under 5 USC 801.

Unfunded Mandates: This action may affect the private sector under PL 104-4.

Legal Authority: 33 USC 1321**CFR Citation:** 33 CFR 155**Legal Deadline:** None

Abstract: Current vessel response plan regulations require that the owners or operators of vessels carrying groups I through V petroleum oil as a primary cargo identify in their response plans a salvage company with expertise and equipment, and a company with firefighting capability that can be deployed to a port nearest to the vessel's operating area within 24 hours of notification (groups I-IV) or a discovery of a discharge (group V). Numerous requests for clarification

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revealed widespread misunderstanding and confusion regarding the regulatory language, which will make the implementation of this requirement difficult. Based on comments received after the Vessel Response Plan final rule publication (61 FR 1052; January 12, 1996) and during a Coast Guard hosted workshop, the Coast Guard intends to better define the terms “salvage expertise and equipment” and “vessel firefighting capability” requirements and will reconsider the 24-hour deployment requirement which was scheduled to go into effect on February 18, 1998. Therefore, the Coast Guard suspended the effective dates of the 24-hour deployment requirements as published in the final rule. The Coast Guard will continue with this project to better define the requirements. This rulemaking supports the Coast Guard’s strategic goals of maritime safety and protection of the natural resources. This rulemaking is also significant because it concerns a matter of substantial public interest or controversy.

Timetable:

| Action | Date | FR Cite |
|---|----------|-------------|
| Final Rule – Partial Suspension | 02/12/98 | 63 FR 7069 |
| Final Rule – Partial Suspension | 01/17/01 | 66 FR 3876 |
| NPRM | 05/10/02 | 67 FR 31868 |
| Public Meeting 7/9/02, 7/17/02, 7/25/02 | 06/12/02 | 67 FR 40254 |
| Public Meeting 9/26/02 | 08/07/02 | 67 FR 51159 |
| NPRM Comment Period Extended | 08/07/02 | |
| NPRM Comment Period End | 10/18/02 | |
| Final Rule – Partial Suspension | 01/23/04 | 69 FR 3236 |
| Next Action Undetermined | | |

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** None

Additional Information: Partial suspension of regulations created through the Vessel Response Plan final rule, Docket No. 91-034, RIN 2115-AD81. The project was originally titled “Salvage and Firefighting Equipment; Vessel Response Plans.” The change was made in order to distinguish this project from other similarly titled projects within the Coast Guard.

Transferred from RIN 2115-AF60

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Lt. Reed Kohberger, Project Manager, G–MOR–3, Department of Homeland Security, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593–0001
Phone: 202 267–0448

RIN: 1625–AA19**1390. COMMERCIAL DIVING OPERATIONS (USCG–1998–3786)****Priority:** Substantive, Nonsignificant**Legal Authority:** 33 USC 1509; 43 USC 1333; 46 USC 3306; 46 USC 3703; 46 USC 6101**CFR Citation:** 46 CFR 197**Legal Deadline:** None

Abstract: This project involves reviewing and updating the commercial diving regulations, which were first adopted in 1977. A review of the commercial diving regulations is needed to determine what parts should be updated or changed based on the current standards of safety, technology, and industry practices and to evaluate and minimize any significant economic impact of the rules upon small entities. The project supports the Coast Guard Marine Safety, Security and Environmental Protection Program’s goal to reduce deaths and injuries on U.S. commercial vessels and the Coast Guard’s strategic goal of maritime safety.

Timetable:

| Action | Date | FR Cite |
|-------------------------------|----------|-------------|
| ANPRM | 06/26/98 | 63 FR 34840 |
| ANPRM Comment Period Extended | 09/23/98 | 63 FR 50848 |
| ANPRM Comment Period End | 11/09/98 | |
| Next Action Undetermined | | |

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Additional Information: Transferred from RIN 2115-AF64

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Dave Dolloff, Project Manager, G–MSO–2, Department of

Homeland Security, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593–0001

Phone: 202 267–1190

RIN: 1625–AA21**1391. IMPROVEMENTS TO MARITIME SAFETY IN PUGET SOUND–AREA WATERS (USCG–1998–4501)****Priority:** Other Significant**Legal Authority:** 33 USC 1223 to 1224**CFR Citation:** 33 CFR ch. 1**Legal Deadline:** None

Abstract: This rulemaking would promulgate measures to improve maritime safety in Puget Sound–Area waters including Puget Sound, the Strait of Juan de Fuca, passages around and through the San Juan Islands, and the Olympic Coast National Marine Sanctuary. Based on a determination by the Secretary of Transportation regarding the status of maritime safety in the Puget Sound area, the Coast Guard has initiated a comprehensive cost-benefit analysis to study the feasibility of implementing new safety measures, including extended tug escort requirements and a dedicated response vessel. Public input will help focus this cost-benefit analysis and develop any future proposed rules, if deemed necessary. This rulemaking supports the Coast Guard Marine Safety, Security and Environmental Protection Program’s goal to reduce the amount of oil discharged into the marine environment and the Coast Guard’s strategic goal of protection of natural resources. This is a significant action due to substantial public interest.

Timetable:

| Action | Date | FR Cite |
|--------------------------|----------|-------------|
| ANPRM | 11/24/98 | 63 FR 64937 |
| ANPRM Comment Period End | 05/24/99 | |
| Next Action Undetermined | | |

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** None**Federalism:** Undetermined

Additional Information: Transferred from RIN 2115-AF68

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Lt. Vivianne Louie, Project Manager, G–MSE–1, Department of Homeland Security, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593
Phone: 202 267–0173
Email: vlouie@comdt.uscg.mil
RIN: 1625–AA22

1392. CARGO SECURING ON VESSELS OPERATING IN U.S. WATERS (USCG–2000–7080)

Priority: Substantive, Nonsignificant
Legal Authority: 46 USC 3306
CFR Citation: 33 CFR 97
Legal Deadline: None

Abstract: This rulemaking would amend the cargo stowage and securing rules for U.S. vessels operating in U.S. waters. In addition, it would amend rules to require cargo-securing manuals for U.S. or foreign vessels of 500 gross tons or more on international voyages. Its goal is to reduce hazardous material cargo losses from vessels in U.S. waters. It supports the Coast Guard’s strategic goals of maritime safety and protection of natural resources.

Timetable:

| Action | Date | FR Cite |
|-------------------------|--------------|-------------|
| NPRM | 12/01/00 | 65 FR 75201 |
| NPRM Comment Period End | 03/01/01 | |
| Next Action | Undetermined | |

Regulatory Flexibility Analysis Required: No
Small Entities Affected: No
Government Levels Affected: None
Additional Information: This rulemaking is being returned to a long-term schedule. In the 2002 spring agenda, we announced we would be withdrawing this rulemaking but we are currently reevaluating that decision. Transferred from RIN 2115-AF97
URL For More Information: dms.dot.gov
URL For Public Comments: dms.dot.gov
Agency Contact: David H. Dolloff, Department of Homeland Security, U.S. Coast Guard, 2100 Second Street, SW, Washington DC, DC 20593
Phone: 202 267–1190
Email: ddolloff@comdt.uscg.mil
RIN: 1625–AA25

1393. FEDERAL REQUIREMENTS FOR PROPELLER INJURY AVOIDANCE MEASURES (USCG 2001–10163)

Priority: Substantive, Nonsignificant
Legal Authority: 46 USC 4302
CFR Citation: 33 CFR 175
Legal Deadline: None

Abstract: This rule would establish Federal requirements for non-planing recreational houseboats equipped with propeller driven propulsion located aft of the transom. This rule would require owners of these non-planing recreational houseboats to install either one or two propulsion unit measures (a propeller guard or a jet pump drive) or employ three combined measures (use of an ignition cut-off switch, where installed, and install a swim ladder interlock device and an aft-visibility device). Owners of rental houseboats would have to also install an ignition cut-off switch, if not already installed. These requirements would reduce the number of boaters who are seriously or fatally injured when struck by the propeller of a non-planing recreational houseboat. This rulemaking would implement recommendations made by the National Boating Safety Advisory Council. It supports the Coast Guard’s strategic goal of marine safety.

Timetable:

| Action | Date | FR Cite |
|------------------------------|------------------|-------------|
| NPRM | 12/10/01 | 66 FR 63645 |
| NPRM Comment Period End | 03/11/02 | |
| NPRM Comment Period Extended | 03/26/02 | 67 FR 13738 |
| NPRM Comment Period End | 05/11/02 | |
| Final Rule | To Be Determined | |

Regulatory Flexibility Analysis Required: No
Small Entities Affected: Businesses
Government Levels Affected: None
Additional Information: Transferred from RIN 2115-AG18
URL For More Information: dms.dot.gov
URL For Public Comments: dms.dot.gov
Agency Contact: Carlton Perry, Project Manager, G–OPB–1, Department of Homeland Security, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593–0001
Phone: 202 267–0979
RIN: 1625–AA31

1394. STANDARDS FOR LIVING ORGANISMS IN SHIPS’ BALLAST WATER DISCHARGED IN U.S. WATERS (USCG–2001–10486)

Priority: Other Significant. Major status under 5 USC 801 is undetermined.
Legal Authority: 16 USC 4711
CFR Citation: 33 CFR 151
Legal Deadline: None

Abstract: This rulemaking would add a performance standard to 33 CFR part 151, subpart D, for all ballast water management methods being used as alternatives to mid ocean ballast water exchange. It supports the Coast Guard’s strategic goals of marine safety and protection of natural resources. This project is significant due to high interest from Congress and several Federal and State agencies.

Timetable:

| Action | Date | FR Cite |
|--------------------------|------------------|------------|
| ANPRM | 03/04/02 | 67 FR 9632 |
| ANPRM Comment Period End | 06/03/02 | |
| NPRM | To Be Determined | |

Regulatory Flexibility Analysis Required: Undetermined
Small Entities Affected: Businesses
Government Levels Affected: None
Additional Information: Transferred from RIN 2115-AG21
URL For More Information: dms.dot.gov
URL For Public Comments: dms.dot.gov
Agency Contact: Bivan Patnaik, Project Manager, G–MSO, Department of Homeland Security, U.S. Coast Guard, 2100 Second Street SW., 2100 Second Street SW., Washington, DC 20593–0001
Phone: 202 267–1744
RIN: 1625–AA32

1395. RATES FOR PILOTAGE ON THE GREAT LAKES (USCG–2002–11288)

Priority: Other Significant
Legal Authority: 46 USC 9303(f)
CFR Citation: 46 CFR 401
Legal Deadline: None

Abstract: The Coast Guard conducts an annual review of the Great Lakes Pilotage based on the “Ratemaking Analyses and Methodology” published in the Federal Register on May 9, 1996.

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Depending on the results of this review, the Coast Guard can make rate adjustments in accordance with 46 CFR part 404, appendix A, step 7. Or, if the director determines that pilotage rates are within a reasonable range of their target, make no adjustments. This rulemaking may take place annually. It supports the Coast Guard's strategic goal of maritime mobility.

Timetable:

| Action | Date | FR Cite |
|---------------------------------------|------------------|-------------|
| NPRM | 01/23/03 | 68 FR 3202 |
| NPRM Comment Period Extended | 02/14/03 | 68 FR 7489 |
| NPRM Comment Period Extended | 04/01/03 | 68 FR 15697 |
| NPRM Correction | 04/01/03 | |
| Public Meeting (04/14) | 04/01/03 | |
| NPRM Comment Period End | 05/01/03 | |
| Interim Rule | 12/12/03 | 68 FR 69564 |
| Interim Rule Comment Period End | 02/10/04 | |
| Interim Rule | 03/10/05 | 70 FR 12082 |
| Interim Rule Correction | 03/21/05 | 70 FR 13574 |
| Interim Rule Correction | 03/29/05 | 70 FR 15779 |
| Interim Final Rule Effective | 04/11/05 | |
| Interim Final Rule Comment Period End | 06/08/05 | |
| Final Rule | To Be Determined | |

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Additional Information: Transferred from RIN 2115-AG30

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: Paul Wasserman, Project Manager, G-MW-1, Department of Homeland Security, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593
Phone: 202 267-2856

RIN: 1625-AA38

1396. NOTIFICATIONS OF ARRIVAL AND DEPARTURE IN PORTS OR PLACES IN THE UNITED STATES (USCG-2001-11865)

Priority: Other Significant

Legal Authority: 33 USC 1223(a)(5); 33 USC 1226; 33 USC 1231

CFR Citation: 33 CFR 160

Legal Deadline: None

Abstract: The Coast Guard needs to permanently amend its regulations relating to the Notifications of Arrival (NOA) and Departure (NOD) requirements in 33 CFR part 160 to ensure port safety, security, and environmental protection as well as maintain the uninterrupted flow of commerce. Subsequent to the terrorist attacks of September 2001, we published an emergency temporary final rule (96-hour rule) amending the NOA and NOD requirements for commercial vessels bound for or departing from ports or places in the United States. The temporary final rule terminated on March 31, 2003. In this final rule, most of the changes introduced by the temporary final rule have been made permanent. This rulemaking supports the Coast Guard's strategic goals of maritime safety, maritime security, protection of natural resources, and maritime mobility.

Timetable:

| Action | Date | FR Cite |
|-------------------------------|----------|-------------|
| NPRM | 06/19/02 | 67 FR 41659 |
| NPRM Comment Period End | 08/19/02 | |
| Final Rule | 02/28/03 | 68 FR 9537 |
| Final Rule Effective | 04/01/03 | |
| Final Rule Partial Suspension | 05/22/03 | 68 FR 27907 |
| Final Rule Correction | 11/10/03 | 68 FR 63735 |
| Next Action Undetermined | | |

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: Transferred from RIN 2115-AG35

In 1625-AA99, we plan to remove the sections that were suspended May 22, 2003.

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: LTJG Julie Miller, Project Manager, G-MPP, Department of Homeland Security, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593
Phone: 202 267-2562

Related RIN: Related to 1625-AA96, Related to 1625-AA93, Related to 1625-AA99

RIN: 1625-AA41

1397. VESSEL TRAFFIC SERVICE LOWER MISSISSIPPI RIVER (USCG-1998-4399)

Priority: Substantive, Nonsignificant

Legal Authority: 33 USC 1223(a)

CFR Citation: 33 CFR 26; 33 CFR 161; 33 CFR 165

Legal Deadline: None

Abstract: This project proposes to establish a new Vessel Traffic Service (VTS) area in the Lower Mississippi River region. This Vessel Traffic Service Area (VTSA) will span from 20 miles north of Baton Rouge (mile 255 Above Head of Passes (AHP)) out to sea, including the South and Southwest Pass. As part of the VTSA, a VTS Special Area will be designated between mile 93.5 and 95 AHP. Unlike traditional VTSS, which are based on radar and video surveillance and rely on voice communications by VHF-FM radio, when fully operational VTS Lower Mississippi River will use Automatic Identification System transponder technology to perform the majority of both surveillance and information exchange. This rulemaking supports the Coast Guard's strategic goals of maritime safety and protection of natural resources.

Timetable:

| Action | Date | FR Cite |
|------------------------------|------------------|-------------|
| NPRM | 04/26/00 | 65 FR 24616 |
| NPRM Comment Period End | 07/25/00 | |
| NPRM Comment Period Reopened | 08/18/00 | 65 FR 50479 |
| NPRM Comment Period End | 12/01/00 | |
| Second NPRM | To Be Determined | |

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: This project was originally entitled "Vessel Traffic Service Lower Mississippi/Automatic Identification System Carriage Requirement." The VTS LMR will retain RIN 1625-AA58. The AIS carriage requirement was developed in a separate rulemaking (see USCG-2003-14757, RIN 1625-AA67).

Transferred from RIN 2115-AF75

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

DHS—USCG

Long-Term Actions

Agency Contact: Jorge Arroyo, Project Manager, G—MWV, Department of Homeland Security, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001
Phone: 202 267-6277

RIN: 1625-AA58

1398. VALIDATION OF MERCHANT MARINERS' VITAL INFORMATION AND ISSUANCE OF COAST GUARD MERCHANT MARINER'S DOCUMENTS (MMDs) (USCG-2003-14500)

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 46 USC 21; 46 USC 73; 46 USC 75; 46 USC 77

CFR Citation: 46 CFR Part 12

Legal Deadline: None

Abstract: This rulemaking describes enhancements to the application procedures for the "Merchant Mariners Documents" (MMDs) required for ocean going and Great Lakes vessels of over 100 gross tons. This includes showing up physically at a Regional Exam Center (REC) at least once during each application and furnishing proof of identity, fingerprinting, and a background check.

Timetable:

| Action | Date | FR Cite |
|---------------------------------|--------------|-------------|
| Notice of Meeting | 02/20/03 | 68 FR 8326 |
| Notice of Policy | 04/08/03 | 68 FR 17064 |
| Interim Rule | 01/06/04 | 69 FR 526 |
| Correction to Interim Rule | 02/11/04 | 69 FR 6575 |
| Interim Rule Comment Period End | 04/05/04 | |
| Next Action | Undetermined | |

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

URL For More Information:
dms.dot.gov

URL For Public Comments:
dms.dot.gov

Agency Contact: Gerald P. Miente, Project Manager, G—MSO-1, Department of Homeland Security, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001
Phone: 202 267-0221

RIN: 1625-AA81

1399. SECURITY ZONE REGULATIONS

Priority: Routine and Frequent

Legal Authority: 33 USC 1226; 33 USC 1231; 50 USC 191; 33 CFR 6

CFR Citation: 33 CFR 165

Legal Deadline: None

Abstract: The Coast Guard uses these routine and frequent regulations to establish control of access to areas to ensure the security of vessels, waterfront facilities, or individuals. Many of these zones are of short duration, a few hours to a few days, and all are geographically limited in area. Security zones are established for Presidential or Vice Presidential visits, high profile events such as the Olympics, controversial events such as transport of spent nuclear fuel, and in response to the threat of terrorist attacks. Some security zones are implemented only at heightened security levels and only for the duration of the heightened alert. Security zones are promulgated by Captains of the Port or District Commanders. These routine and frequent rulemakings support the Coast Guard's strategic goals of marine security, mobility, protection of natural resources, and national defense. The total actions expected from November 1, 2005, to October 31, 2006, are 200.

Timetable:

| Action | Date | FR Cite |
|-------------------------------|----------|---------|
| Actions Will Continue Through | 10/00/06 | |

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: Routine and frequent rulemakings issued under this RIN will each have an individual docket number.

Agency Contact: CDR Tina Burke, Project Manager (G—MPS-2), Department of Homeland Security, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001
Phone: 202 267-4143
Email: tburke@comdt.uscg.mil

RIN: 1625-AA87

1400. NAVIGATION EQUIPMENT; SOLAS CHAPTER V AMENDMENTS (USCG-2004-19588)

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 33 USC 1223(a)(3); 46 USC 3306(a)(1); 46 USC 3703

CFR Citation: 33 CFR 164; 46 CFR 165; 46 CFR 159

Legal Deadline: None

Abstract: This rulemaking project would add new, and clarify existing navigation safety equipment regulations in 33 CFR part 164. This project would also create a new 46 CFR part 165, and a new subpart: 46 CFR part 159, subpart 159.008. These new title 46 regulations would provide for specific type-approval procedures and quality assurance processes, respectively, to require uniform function and capability of equipment across a myriad of manufacturers. These changes would reconcile existing domestic safety navigation regulations with SOLAS Chapter V navigation safety regulations amended in 2000. By making these revisions to 33 CFR and 46 CFR, we would fulfill the United States' obligations as an International Maritime Organization Contracting Government to implement SOLAS Chapter V as amended for U.S. flag vessels and other vessels operating on navigable waters of the United States to which these SOLAS amendments apply. This project supports the Coast Guard's strategic goals of maritime safety and mobility.

Timetable:

| Action | Date | FR Cite |
|--------|-------|------------|
| NPRM | To Be | Determined |

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Governmental Jurisdictions

Government Levels Affected: State

Agency Contact: LCDR James Rocco, Project Manager, G—MWV-2, Department of Homeland Security, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593
Phone: 202 267-0550

RIN: 1625-AA91

DHS—USCG

Long-Term Actions

1401. NOTIFICATION OF ARRIVAL IN U.S. PORTS; CERTAIN DANGEROUS CARGOES; ELECTRONIC SUBMISSION (USCG-2003-16688)

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Legal Authority: 33 USC 1223; 33 USC 1231; 46 USC ch 701; DHS Delegation No. 0170.1

CFR Citation: 33 CFR 160.204; 33 CFR 160.210

Legal Deadline: None

Abstract: This regulatory project will revise the definition of Certain Dangerous Cargo (CDC) as listed in 33 CFR 160 subpart C, to include ammonium nitrate and propylene oxide. Furthermore, this project will also provide for optional electronic submission of NOA reports via a Web portal. This rulemaking supports the Coast Guard's strategic goals of maritime security, maritime safety, and national defense.

Timetable:

| Action | Date | FR Cite |
|--------------------------|----------|-------------|
| Temporary Final Rule | 08/18/04 | 69 FR 51176 |
| Other/Comment Period End | 11/16/04 | |

Next Action Undetermined

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: This rulemaking project is a continuation of RIN 1625-AA82 that was labeled a completed action in the Fall 2004 Unified Agenda.

The post-promulgation comment period is the reason we got a new RIN for this project; AA82 went away when the publication of the TFR was earlier treated as a completing action for this rulemaking. When the interim rule in AA93 is published, we can cite to that as the completing action for AA96 because we used comments on the TFR to shape that IR.

Agency Contact: LTJG Julie Miller, Project Manager, G-MPP, Department of Homeland Security, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593
Phone: 202 267-2562

Related RIN: Previously reported as 1625-AA82, Related to 1625-AA93, Related to 1625-AA41

RIN: 1625-AA96

1402. • LONG RANGE IDENTIFICATION AND TRACKING OF VESSELS

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Legal Authority: Sec. 102 of Pub. L. 107-295 ; 46 USC 70115

CFR Citation: 33 CFR 164

Legal Deadline: None

Abstract: This rulemaking would require, consistent with international law, certain vessels to report identifying and position data electronically. The requirements would better enable the Coast Guard to correlate Long Range Identification and Tracking (LRIT) data with data from other sources, detect anomalies, and heighten our overall Maritime Domain Awareness (MDA). A companion effort is underway at the International Maritime Organization. This project is consistent with the Coast Guard's strategic goal of maritime security, and the Department's strategic goals of awareness, prevention, protection, and response.

Timetable:

| Action | Date | FR Cite |
|--------|-------|------------|
| NPRM | To Be | Determined |

Regulatory Flexibility Analysis

Required: Undetermined

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: William Cairns, CG-7M, Department of Homeland Security, U.S. Coast Guard, 2100 Second Street, SW, Washington , DC 20593

Phone: 202 267-6599

Email: wcairns@comdt.uscg.mil

RIN: 1625-AB00

**Department of Homeland Security (DHS)
U.S. Coast Guard (USCG)**

Completed Actions

1403. ESCORT VESSELS FOR CERTAIN TANKERS (CGD 91-202)

Priority: Other Significant

Legal Authority: PL 101-380, sec 4116(c) (codified as 46 USC 3703 note)

CFR Citation: 33 CFR 168

Legal Deadline: None

Abstract: This project promulgates 33 CFR part 168 and provides escort requirements for certain single-hull tankers in Prince William Sound and Puget Sound. It supports the Coast Guard's strategic goal of protecting natural resources, and is considered significant because of substantial public and State government interest.

Timetable:

| Action | Date | FR Cite |
|---|----------|-------------|
| NPRM | 07/07/92 | 57 FR 30058 |
| NPRM Comment Period End | 09/08/92 | |
| NPRM Comment Period Reopened | 03/26/93 | 58 FR 16391 |
| Notice of Public Hearings | 04/29/93 | 58 FR 25959 |
| Correction | 05/19/93 | 58 FR 29157 |
| NPRM Comment Period End | 06/24/93 | |
| Notice of Availability – Part 1 of Study | 01/10/94 | 59 FR 1411 |
| Final Rule | 08/19/94 | 59 FR 42962 |
| Final Rule – Suspension of Crash-Stop Provision | 11/01/94 | 59 FR 54519 |

Final Rule – Partial Suspension Effective 11/17/94

Final Rule Effective 11/17/94

Notice of Availability – Part II of Study 02/01/95 60 FR 6345

Final Rule 09/23/05 70 FR 55728

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: This project (RIN 1625-AA05; transferred from RIN 2115-AA10 when Coast Guard transferred from the Department of Transportation to DHS) is related to RIN 1625-AA65 (Escort Vessels for Certain Tankers - Crash Stop Criteria, USCG-2003-14734). RIN 1625-AA05 promulgated 33 CFR part 168, but

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Completed Actions

suspended one provision, 33 CFR 168.50(b)(2), before it ever took effect. Suspension is not a final action. Final action requires the Coast Guard to remove the suspension of 33 CFR 168.50(b)(2) and to determine its final status (either effective as promulgated, amended, or removed). All previous activity for RIN 1625-AA05 took place before the Coast Guard's participation in the Department of Transportation's Docket Management System (DMS). DMS is an electronic docketing system that provides the public with computerized access to Coast Guard rulemaking documents, but it does not support older Coast Guard docket numbers like CGD 91-202 (the Coast Guard docket number equivalent for RIN 1625-AA05). Consequently, the rulemaking docket for RIN 1625-AA05 is available only in paper form and must be viewed at Coast Guard Headquarters (contact the Office of Regulations and Administrative Law, G-LRA, at 202-267-1534). In order to finalize RIN 1625-AA05 in a way that is accessible to the public through DMS, the Coast Guard decided to open RIN 1625-AA65 under a DMS-compatible Coast Guard docket number, USCG-2003-14734, and to treat it as the rulemaking vehicle for resolving the status of 33 CFR 168.50(b)(2). All publications under RIN 1625-AA05 will appear electronically in the DMS docket. In addition, for ease of reference, we will scan relevant paper documents from RIN 1625-AA05 into the electronic DMS docket for RIN 1625-AA65, as supplemental materials.

ANALYSIS: Regulatory Evaluation, August 19, 1994, 59 FR 42962.

URL For More Information:

dms.dot.gov

URL For Public Comments:

dms.dot.gov

Agency Contact: LCDR Sam Stevens, Project Manager, G-MSR, Department of Homeland Security, U.S. Coast Guard, 2100 Second Street SW., 2100 Second Street SW., Washington, DC 20593
Phone: 202 267-0751

Related RIN: Related to 1625-AA10, Related to 1625-AA65

RIN: 1625-AA05

1404. ANCHORAGE GROUND; SAFETY ZONE; SPEED LIMIT; TONGASS NARROWS AND KETCHIKAN, ALASKA (CGD17-99-002)

Priority: Substantive, Nonsignificant

Legal Authority: 33 USC 471; 33 USC 1231; 33 USC 2071

CFR Citation: 33 CFR 162; 33 CFR 165; 33 CFR 110

Legal Deadline: None

Abstract: This rulemaking would grant an exemption from the present 7-knot speed limit in Tongass Narrows, Alaska, for float plane take-off and landing and vessels 23 feet in length or less. The geographic area for the speed limit would be expanded. A safety zone used for cruise ship anchorages would be redesignated as an anchorage area to reflect actual usage of the area and transiting vessels would be required to move quickly and directly through the anchorage, without rapid course changes, to increase safety. This project supports the Coast Guard's strategic goal of marine safety.

Timetable:

| Action | Date | FR Cite |
|---------------------------------------|----------|-------------|
| NPRM | 03/25/99 | 64 FR 14414 |
| NPRM Comment Period End | 05/10/99 | |
| Interim Final Rule | 06/02/99 | 64 FR 29554 |
| Interim Final Rule Comment Period End | 11/30/99 | |
| Interim Final Rule | 04/07/00 | 65 FR 18242 |
| Interim Final Rule Comment Period End | 10/31/00 | |
| Notice to Reopen Comment Period | 10/21/03 | 68 FR 60034 |
| Comment Period End | 12/22/03 | |
| Final Rule | 04/20/05 | 70 FR 20471 |
| Final Rule Effective | 05/20/05 | |

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: Transferred from RIN 2115-AF81

Agency Contact: Lt. Gary Koehler, MSO, Juneau, Alaska, Department of Homeland Security, U.S. Coast Guard, 2760 Sherwood Lane, Suite 2A, Juneau, AK 99801
Phone: 907 463-2470

RIN: 1625-AA23

1405. ELECTRONIC CHART DISPLAY AND INFORMATION SYSTEM (ECDIS) (USCG-2001-8826)

Priority: Substantive, Nonsignificant

Legal Authority: 33 USC 1223; 33 USC 1231; 46 USC 2103; 46 USC 3703; 46 USC 6101; 46 USC 8502

CFR Citation: 33 CFR 164

Legal Deadline: None

Abstract: This rule would allow commercial vessels the option of using an IMO-approved Electronic Charting Display and Information System (ECDIS) as a primary means of navigation in U.S. waters instead of paper charts. Compliance with this rule would be optional; any vessel choosing not to use such an ECDIS must continue to navigate using corrected and updated printed charts and publications. This rule supports the Coast Guard's strategic goal of maritime safety.

Timetable:

| Action | Date | FR Cite |
|--------------------------|----------|-------------|
| ANPRM | 05/02/01 | 66 FR 21899 |
| ANPRM Comment Period End | 07/02/01 | |
| Withdrawn | 09/23/05 | |

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: This rulemaking has been merged with 1625-AA91, Navigation Equipment; SOLAS Chapter V Amendments.

Transferred from RIN 2115-AG09

URL For More Information: dms.dot.gov

URL For Public Comments: dms.dot.gov

Agency Contact: LCDR James Rocco, Project Manager, G-MWV-2, Department of Homeland Security, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593
Phone: 202 267-0550

RIN: 1625-AA29

1406. MARINE EVENTS: PERMIT PROCEDURES (USCG-2001-10713)

Priority: Substantive, Nonsignificant

Legal Authority: 33 USC 1233

CFR Citation: 33 CFR 100

Legal Deadline: None

DHS—USCG

Completed Actions

Abstract: This rule would revise Coast Guard procedures to expedite approval of organized marine events conducted on the navigable waters of the United States. These new procedures would establish general permits with nationwide or regional applicability and would encourage sponsors to submit information to the Coast Guard by electronic means. These new procedures would reduce the paperwork burden on both the public and the Coast Guard without adversely affecting vessel safety or the environment in the event areas. This project supports the Coast Guard's strategic goals of maritime safety and maritime mobility.

Timetable:

| Action | Date | FR Cite |
|-----------|----------|---------|
| Withdrawn | 11/01/05 | |

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses, Organizations

Government Levels Affected: None

Additional Information: Transferred from RIN 2115-AG26

URL For More Information:
dms.dot.gov

URL For Public Comments:
dms.dot.gov

Agency Contact: Carlton Perry, Project Manager, G-OPB-1, Department of Homeland Security, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001
Phone: 202 267-0979

RIN: 1625-AA35

1407. ESCORT VESSELS FOR CERTAIN TANKERS—CRASH STOP CRITERIA (USCG-2003-14734)

Priority: Substantive, Nonsignificant

Legal Authority: PL 101-380, sec 4116(c) (codified as 46 USC 3703 note)

CFR Citation: 33 CFR 168

Legal Deadline: None

Abstract: This rulemaking would remove the suspension of 33 CFR 168.50(b)(2) made in 1994 by related rulemaking RIN 1625-AA05, and would finalize that provision's status either by allowing it to take effect, by amending it, or by removing it. This project would support the Coast Guard's

strategic goals of maritime safety and maritime mobility.

Timetable:

| Action | Date | FR Cite |
|-------------------------|----------|-------------|
| NPRM | 03/28/05 | 70 FR 15609 |
| NPRM Comment Period End | 06/27/05 | |
| Final Rule | 09/23/05 | 70 FR 55728 |

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Additional Information: This project is related to RIN 1625-AA05 (Escort Vessels for Certain Tankers, CGD91-202). RIN 1625-AA05 promulgated 33 CFR part 168, but suspended one provision, 33 CFR 168.50(b)(2), before it ever took effect. Suspension is not a final action. Final action in RIN 1625-AA05 took place before the Coast Guard's participation in the Department of Transportation's Docket Management System (DMS). DMS is an electronic docketing system that provides the public with computerized access to Coast Guard rulemaking documents, but it does not support older Coast Guard docket numbers like CGD91-202 (the Coast Guard docket number equivalent for RIN 1625-AA05). Consequently, the rulemaking docket for RIN 1625-AA05 is available only in paper form and must be viewed at Coast Guard Headquarters (contact the Office of Regulations and Administrative Law, G-LRA, at 202-267-1534). In order to finalize RIN 1625-AA05 in a way that is accessible to the public through DMS, the Coast Guard decided to open this rulemaking, RIN 1625-AA65, under a DMS-compatible Coast Guard docket number, USCG-2003-14734. All publications under RIN 1625-AA65 will appear electronically in the DMS docket. In addition, for ease of reference, we will scan relevant paper documents from RIN 1625-AA05 into the electronic DMS docket for RIN 1625-AA65, as supplemental materials.

Agency Contact: LCDR Sam Stevens, Project Manager, G-MSR, Department of Homeland Security, U.S. Coast Guard, 2100 Second Street SW., 2100 Second Street SW., Washington, DC 20593
Phone: 202 267-0751

Related RIN: Related to 1625-AA05, Related to 1625-AA10

RIN: 1625-AA65

1408. TANK LEVEL OR PRESSURE MONITORING DEVICES ON SINGLE-HULL TANK SHIPS AND SINGLE-HULL TANK BARGES CARRYING OIL OR OIL RESIDUE AS CARGO

Priority: Other Significant

Legal Authority: 33 USC 1231 ; 33 USC 1321; 33 USC 1321(j); EO 11735; 3 CFR, 1971-1075 Comp., p. 793; ...

CFR Citation: 33 CFR 155; 33 CFR 156

Legal Deadline: None

Abstract: The Coast Guard is suspending the regulations in title 33 Code of Federal Regulations parts 155 and 156 for tank level or pressure monitoring (TLPM) devices published in the Federal Register of September 17, 2002 (67 FR 58515). Furthermore, we are seeking public comments on the status of TLPM technology development and the other means of detecting leaks from oil cargo tanks into the water. This rulemaking supports the Coast Guard's strategic goal of facilitating maritime transportation.

Timetable:

| Action | Date | FR Cite |
|----------------------|----------|-------------|
| Final Rule | 07/20/05 | 70 FR 41614 |
| Final Rule Effective | 08/19/05 | |
| Comment Period End | 09/19/05 | |

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Additional Information: Additional legal authority information: Sections 155.100 through 155.130, 150.350 through 155.400, 155.430, 155.440, 155.470, 155.1030(j) and (k); and 155.1065(g) are also issued under 33 U.S.C. 1903(b). Sections 155.480, 155.490, 155.750(e), and 155.775 are also issued under 46 U.S.C. 3703. 33 CFR 155.490 is also issued under the authority of 46 U.S.C. 4110(b).

Agency Contact: LCDR Roger K. Butturini, Project Manager, G-MSR-2, Department of Homeland Security, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593
Phone: 202 267-2857

RIN: 1625-AA94